FEDERAL REGISTER

VOLUME 10 NUMBER 173

Washington, Saturday, September 1, 1945

The President

EXECUTIVE ORDER 9608

PROVIDING FOR THE TERMINATION OF THE OFFICE OF WAR INFORMATION, AND FOR THE DISPOSITION OF ITS FUNCTIONS AND OF CERTAIN FUNCTIONS OF THE OFFICE OF INTER-AMERICAN AFFAIRS

By virtue of the authority vested in me by the Constitution and Statutes, including Title I of the First War Powers Act, 1941, and as President of the United States, it is hereby ordered as follows:

1. Effective as of the date of this order:

(a) There are transferred to and consolidated in an Interim International Information Service, which is hereby established in the Department of State, those functions of the Office of War Information (established by Executive Order No. 9182 of June 13, 1942), and those informational functions of the Office of Inter-American Affairs (established as the Office of the Coordinator of Inter-American Affairs by Executive Order No. 8840 of July 30, 1941 and renamed as the Office of Inter-American Affairs by Executive Order No. 9532 of March 23, 1945), which are performed abroad or which consist of or are concerned with informing the people of other nations about any matter in which the United States has an interest, together with so much of the personnel, records, property, and appropriation balances of the Office of War Information and the Office of Inter-American Affairs as the Director of the Bureau of the Budget shall determine to relate primarily to the functions so transferred. Pending the abolition of the said Service under paragraph 3 (a) of this order, (1) the head of the Service, who shall be designated by the Secretary of State, shall be responsible to the Secretary of State or to such other officer of the Department as the Secretary shall direct, (2) the Service shall, except as otherwise provided in this order, be administered as an organizational entity in the Department of State, (3) the Secretary may transfer from the Service, to such agencies of the Department of State as he shall designate or establish, any function of the Service, and (4) the Secretary may terminate any function of the Service, in which event he shall provide for the winding up of the affairs relating to any function so terminated.

(b) There are transferred to the Bureau of the Budget the functions of the Bureau of Special Services of the Office of War Information and functions of the Office of War Information with respect to the review of publications of Federal agencies, together with so much of the personnel, records, and property, and appropriation balances of the Office of War Information as the Director of the Bureau of the Budget shall determine to relate primarily to the said functions.

(c) All those provisions of prior Executive orders which are in conflict with this order are amended accordingly. Paragraph 6 of the said Executive Order No. 8840 and paragraphs 3, 6, and 8 of the said Executive Order No. 9182 are revoked.

2. Effective as of the close of business September 15, 1945:

(a) There are abolished the functions of the Office of War Information then remaining.

(b) The Director of the Office of War Information shall, pending the abolition of the Office of War Information under paragraph 3 (b) of this order, proceed to wind up the affairs of the Office relating to such abolished functions.

3. Effective as of the close of business December 31, 1945:

(a) The Interim International Information Service, provided for in paragraph 1 (a) of this order, together with any functions then remaining under the Service, is abolished.

(b) The Office of War Information, including the office of the Director of the Office of War Information, is abolished.

(c) There are transferred to the Department of the Treasury all of the personnel, records, property, and appropriation balances of the Interim International Information Service and of the Office of War Information then remaining, for final liquidation, and so much thereof as the Director of the Bureau

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THE PRESIDENT

REGULATIONS AND NOTICES

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FEDERAL REGISTER

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of the Budget shall determine to be necessary shall be utilized by the Secretary of the Treasury in winding up all of the affairs of the Service.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 31, 1945.

[F. R. Doc. 45-16376; Filed, Aug. 31, 1945; 11:25 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Department of Agriculture, Commodity Credit Corporation

[1943 CCC Peanut Butter Form 1, Amdt. 1]

PART 244—PEANUT BUTTER DISTRIBUTION PAYMENTS

RATE OF PAYMENT

Commodity Credit Corporation hereby amends its Offer to Make Peanut Butter Distribution Payments, by amending § 244.5 of the Offer to read as follows:

§ 244.5 *Rate of payment.* The rate of the payment hereunder shall be 4 cents per pound of eligible peanut butter.

This amendment shall become effective at 12:01 a. m. E. w. t. on September 1, 1945.

Signed, sealed and attested at Washington, D. C., this 30th day of August 1945.

[SEAL] COMMODITY CREDIT CORPORATION,
By G. G. ARMSTRONG,
Vice President.

Attest:

JESSE B. GILMER,
Secretary.

[F. R. Doc. 45-16364; Filed, Aug. 31, 1945; 11:07 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO. 75-3, Amdt. 23]

PART 1410—LIVESTOCK AND MEATS

PORK SET-ASIDE REDUCTION

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949, 9422, 9992, 10165), is further amended as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

Percentage of live weight of hogs purchased for slaughter: Type of dressed pork cut or pork products:	
Lard	4.0

2. By deleting Appendix A and substituting in lieu thereof the following:

APPENDIX A—SCHEDULE OF PORK SET-ASIDE PERECENTAGES UNDER WAR FOOD ORDER NO. 75-3

Set aside percentages. Every slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 4.0 percent of the total live weight of each week's slaughter of hogs; *Provided, however,* That until further order of the Assistant Administrator, this requirement shall not be applicable to slaughterers located in the States of Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and West Virginia.

This amendment shall become effective at 12:01 a. m., e. w. t., September 2, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75.3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 29th day of August 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 45-16282; Filed, Aug. 30, 1945; 12:07 p. m.]

[WFO 139-1]

PART 1410—LIVESTOCK AND MEATS

REGULATIONS UNDER WAR FOOD ORDER NO. 139

Pursuant to the authority vested in me by War Food Order No. 139, as amended (10 F.R. 9993), and to effectuate the purposes thereof the following regulations are hereby established:

§ 1410.30 *Regulations under War Food Order No. 139*—(a) *Definitions.* (1) "Secretary" means the Secretary of Agriculture.

(2) "Assistant Administrator" means the Assistant Administrator, in charge of regulatory matters, Production and Marketing Administration, United States Department of Agriculture.

(3) "Order Administrator" means the Order Administrator of War Food Order No. 139.

(4) Any term not defined herein shall have the meaning set forth for such term in War Food Order No. 139.

(b) *Applications for certification.* All applications for certification should be addressed to the Order Administrator, War Food Order No. 139, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. Applications should be made upon the form which the Order Administrator will furnish upon request. Applications must contain all information requested

in such form and must be signed by (1) the owner of the slaughtering establishment, or (2) a partner, if the establishment is owned by a partnership, or (3) a responsible officer, if the establishment is owned by a corporation.

(c) *Investigation prior to certification.* Upon receipt of the application properly executed, an examination of the slaughtering establishment will be made to determine whether it is operated under sanitary conditions as defined in War Food Order No. 139, and whether all animals slaughtered are subject to ante mortem and post mortem inspection. An examination of the applicant's record will also be made to determine whether he has been in compliance with all war food orders and Office of Price Administration regulations concerning meat.

(d) *Construction and maintenance of buildings and pens.* (1) All buildings used for slaughtering, packing, canning, manufacturing, or storing meat or meat products shall be properly fitted and equipped for the purpose used, and shall be so managed and cared for that the products prepared therein are not rendered unclean, unsound, unhealthful, unwholesome or otherwise unfit for human food. No use incompatible with proper sanitation shall be made of any part of such premises. Such buildings shall not be used as places of residence nor for any other purpose that may injuriously affect such meat or meat products. Pens for animals about to be slaughtered may be maintained in connection with the slaughtering room. Manure from stables or pens shall not be stored next to such buildings, nor at any other place on the premises nor in any other manner as to bring about insanitary conditions. All such buildings and pens shall be kept in a clean and wholesome condition and shall be disinfected, painted or whitewashed when required.

(2) Floors shall be smooth and impervious and so laid that they will drain freely and rapidly into a drain connected with a sewer. No low or broken places or spaces under floors in which fluid or solid refuse may lodge shall be allowed to exist.

(3) Walls of rooms in which animals are slaughtered or meat stored shall be tight, smooth, and free from projections or crevices. Walls, ceilings, partitions and pillars shall be kept clean.

(e) *Lighting and ventilation.* Adequate lighting and ventilation shall be maintained in all rooms in which meat or meat food products are manufactured, packaged, canned, stored or otherwise handled, and all cooling and storage rooms or ice boxes shall, if necessary, have a system of ventilation which permits the entrance of fresh, clean air from outside the building. All such rooms shall be so located that odors from toilet rooms, catch basins, casings departments, tank rooms, offal or refuse heaps, hide cellars, etc., do not permeate them.

(f) *Hot and cold water.* Rooms where animals are slaughtered shall have access to hot and cold water pipe connections conveniently located and equipped with faucets and hose sufficient for proper cleaning. Such rooms shall be thoroughly cleaned at the close of each day's work. All offal and other refuse shall be removed and the floors and walls shall be flushed and washed.

(g) *Toilet facilities.* Toilet facilities adequate for the cleanliness and convenience of employees shall be provided. Such facilities shall include water closets, urinals, wash basins, soap, and clean towels. Toilet rooms shall not communicate directly with any room in which animals are killed or meats are stored.

(h) *Handling and storage of products.* (1) Meat and meat food products intended for edible purposes must be prevented from falling on the floor or coming into contact with dirty or disease-producing material.

(2) Carcasses must not be permitted to hang in the slaughtering room longer than necessary but shall be removed promptly to the cooling room to be kept under proper refrigeration.

(i) *Receptacles; tools; implements; clothing.* (1) All wagons, trucks, trays, and other receptacles, all tables, chutes, platforms, racks, etc., and all knives, saws, cleavers, meat grinders, sausage fillers, scalding kettles and other tools, utensils and machinery used in slaughtering, moving, handling, cutting, chopping, mixing, canning, or other processing shall be thoroughly cleansed daily, if used.

(2) Aprons, smocks, or other clothing of employees coming in contact with meat shall be of material that is readily cleaned and made sanitary, and shall be kept clean. All employees who handle meat or meat products shall be required to keep their hands clean.

(j) *Blood, bones, offal, refuse, hides and pelts.* (1) Suitable receptacles shall be provided for blood, offal and similar materials, and such materials shall be put into offal tanks, or removed from the premises as soon as possible if such tanks are not available. In no case shall such materials be permitted to accumulate in or around the slaughterhouse. The feeding of hogs or other animals on uncooked offal and other slaughterhouse refuse shall not be permitted on the premises. Receptacles and vehicles for transporting and storing such materials shall be kept clean. Stomach and intestinal contents or other refuse shall not be stored on the premises at any place or in such a manner as to result in insanitary conditions.

(2) Cribs or pens for the storage of bones shall not be located within or adjoining any building used for slaughtering, storing, or preparing meat or meat food products unless the walls of such cribs or pens are impervious and enclosed.

(3) Hides or pelts shall not be stored on the floor of any room used for slaughtering, storing, or preparing meats or meat food products, but shall be kept in a room set apart for such purposes.

(k) *Diseased carcasses.* (1) Premises on which diseased animals may have been killed shall be thoroughly cleaned and, if necessary, disinfected. Separate trucks, etc., shall be furnished for handling diseased carcasses and parts. After the slaughter of an animal affected with an infectious disease a stop in slaughtering operations shall be made until all implements have been cleansed or disinfected, unless another set of clean implements is at hand.

(2) Butchers who may have dressed diseased carcasses shall cleanse their hands of all grease and then immerse them in a prescribed disinfectant and rinse them in clean water before engaging again in dressing or handling healthy carcasses. All butcher's implements that have been used in dressing diseased carcasses shall be cleaned of all grease and then sterilized either in boiling water or by immersion in a prescribed disinfectant and rinsed in clear water before again being used in dressing healthy carcasses.

(3) Adequate arrangements, including liquid soap and cleansers, for cleaning and disinfecting hands and sterilizing implements used in dressing diseased carcasses, floors, and such other articles and places as may be contaminated by diseased carcasses shall be provided.

(l) *Inspection.* Ante mortem and post mortem inspection at the time of slaughter and an inspection of all processing operations shall be made by inspectors under the supervision of veterinarians, both duly qualified under the laws of the State, city, or county having jurisdiction over the plant, or such inspection shall be made by inspectors approved by the Assistant Administrator.

(1) Ante mortem inspection shall be made of all cattle, sheep, swine, and goats before they enter the slaughtering room. Such inspection shall be made in pens, alleys or chutes of the establishment at which the animals are to be slaughtered. Satisfactory facilities must be provided for conducting such inspection and for separating or holding apart from healthy animals those found with symptoms of disease. All animals suspected of being affected with any disease or condition which would render the carcass of the animal unfit for human consumption shall be tagged and such animals shall be slaughtered separately either before the regular slaughter has commenced or at the close of the regular slaughter, and shall be duly identified for the inspector on duty in the slaughter room before the skins are removed or the carcass opened for evisceration. Animals commonly termed "downers" or crippled animals shall be tagged for the purpose of identification at the time of slaughter.

(2) Post mortem inspection shall consist of a careful examination of all animals at the time of slaughter, and shall be made by duly qualified inspectors under the supervision of a qualified veterinarian. The head, tail, thymus gland, bladder, omentum, the entire viscera, and all parts and blood used in the preparation of meat-food products, shall be retained in such manner as to preserve their identity until after the post mortem examination has been completed, in order that they may be identified in case of condemnation of the carcass. Suitable racks or metal receptacles shall be provided for retaining such parts. Should lesions of disease or other conditions that would render any carcass, part, or organ unfit for food purposes be found under post mortem examination, such carcass, part, or organ shall be marked immediately with a tag bearing the word "Condemned." Carcasses, parts, and organs so marked

shall not be washed or trimmed and shall be immediately segregated from the carcasses passed. Such carcasses, parts, or organs shall be disposed of under the supervision of the inspector. The determination as to whether a carcass, part, or organ is suitable for food for human consumption shall be within the discretion of the inspector and his determination shall be final. All condemned animals and carcasses and parts or organs thereof shall be tanked or freely slashed and denatured by thoroughly sprinkling with carbolic acid or other suitable approved denaturing. After post mortem examination carcasses and parts that are found to be suitable for human consumption shall be passed and shall be stamped or marked with a certification number as hereinafter provided.

(m) *Marks.* All carcasses or parts thereof that are passed shall be stamped with a stamp carrying the words "Certificate Number" and the number assigned to the establishment. Such words and numbers shall be enclosed in a rectangular design. The stamp shall be not less than one inch in height and two inches in length. The inspector in charge shall be responsible for the custody of all stamps, seals, or other marking devices used in stamping the carcasses or products. Such stamps shall be kept under seal in a suitable locker at all times when not in use.

(n) *General supervision.* Authorized representatives of the U. S. Department of Agriculture shall have access to all parts of the plant when the plant is engaged in slaughtering animals or processing meats and meat-food products. Such representatives shall have authority to check the conditions of the plant and all operations including the adequacy of inspection, and where any provision of these regulations or of War Food Order No. 139 is not being observed, shall have authority to require suitable correction.

(o) *Violations.* Any violation of any provision of these regulations may be referred by the Order Administrator to the Assistant Administrator for such action as the latter may deem necessary or appropriate in accordance with the provisions of War Food Order No. 139.

(p) *Designation of Order Administrator.* M. O. Cooper is hereby designated as Order Administrator and A. B. Smeby as Alternate Order Administrator of this order.

(q) *Communications.* All applications for certification and all communications concerning these regulations shall be addressed to the Order Administrator, War Food Order No. 139, Production and Marketing Administration, Department of Agriculture, Washington 25, D. C.

(r) *Effective date.* These regulations shall become effective at 12:01 a. m., e. w. t., August 30, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 139, 10 F.R. 8806, 9993)

Issued this 29th day of August 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and
Marketing Administration.

[F. R. Doc. 45-16213;; Filed, Aug. 29, 1945; 12:06 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 41-2]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

SECOND PILOT QUALIFICATIONS

Amending § 41.300 (c) of the Civil Air regulations relating to second pilot qualifications for scheduled air carrier operations outside the continental limits of the United States requiring three or more pilots.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of August 1945.

Effective September 1, 1945, § 41.300 (c) of the Civil Air Regulations is amended to read as follows:

§ 41.300 *Certificate.* * * *

(c) Any pilot serving as second pilot in an aircraft requiring three or more pilots shall meet the requirements of paragraph (a) of this section: *Provided,* That until January 1, 1946, any pilot may serve as second pilot in an aircraft requiring three or more pilots, if he holds at least a commercial pilot certificate and instrument rating and has demonstrated to an air carrier inspector of the Administrator or to an authorized check pilot of the air carrier his ability to take off and land aircraft in which he is to serve.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-16389; Filed, Aug. 31, 1945; 11:44 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

By virtue of the authority vested in the Federal Security Administrator by the provisions of sections 507 and 701 (a) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 ff, 21 U.S.C. 301 et seq., as amended by Public Law 139, 79th Cong., 1st Sess., July 6, 1945); the Reorganization Act of 1939 (53 Stat. 561 ff, 5 U.S.C. 133-133v); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); the following regulations are hereby promulgated:

Sec.

AUTHORITY: §§ 146.1 to 146.31, inclusive, issued under 52 Stat. 1040 ff, 21 U.S.C. 301 et seq., as amended by Pub. Law 139, 79th Cong., 1st Sess., July 6, 1945; 53 Stat. 561 ff, 5 U.S.C. 133-133v; 53 Stat. 1423; 54 Stat. 1234.

DEFINITIONS

§ 146.1 *Definitions and interpretations.* For the purposes of the regulations under this part:

(a) Each of the several antibiotic substances (e. g. penicillin F, penicillin G, penicillin X) produced by the growth of Penicillium notatum or Penicillium chrysogenum, and each of the same substances produced by any other means, is a kind of penicillin.

(b) The term "master standard" means a specific lot of crystalline sodium penicillin G (sodium penicillin II) which is designated by the Commissioner as the standard of comparison in determining the potency of the working standard.

(c) The term "unit" means a penicillin activity contained in 0.6 microgram of the master standard; the term "potency" means the number of such units in a specified quantity of a substance.

(d) The term "working standard" means a specific lot of a homogeneous preparation of one or more penicillin salts, with or without diluents, the potency of which preparation has been determined by comparison with that of the master standard, and which preparation has been designated by the Commissioner as the working standard for use in determining the potency of drugs subject to the regulations in this part.

(e) The term "batch" means a specific homogeneous quantity of a drug.

(f) The term "batch mark" means an identifying mark or other identifying device assigned to a batch by the manufacturer or packer thereof.

(g) The term "Commissioner" means the Commissioner of Food and Drugs and any other officer of the Food and Drug Administration whom he may designate to act in his behalf for the purposes of the regulations in this part.

(h) The term "U. S. P." means the Pharmacopoeia of the United States, Twelfth Revision, including supplements thereto. The term "N. F." means The National Formulary, Seventh Edition, including supplements thereto.

(i) The term "manufacture" does not include the use of a drug as an ingredient in compounding any prescription issued in his professional practice by a physician, dentist, or veterinarian licensed by law to administer or apply such drug.

(j) All statements, samples, and other information and materials submitted in connection with a request for certification shall be considered to be a part of such request.

(k) The definitions and interpretations of terms contained in section 201 of the act shall be applicable to such terms when used in the regulations in this part.

(l) Except as specifically provided by §§ 146.19 to 146.23, inclusive, no provision of any section in this part shall be construed as exempting any drug from any applicable provision of the act or other regulation thereunder.

(m) The regulation in Part 141 prescribing tests and methods of assays shall not be construed as preventing the Commissioner from using any other test or method of assay in his investigations to determine whether or not:

(1) A request for certification contains any untrue statement of a material fact; or

(2) A certificate has been obtained through fraud, or through misrepresentation or concealment of a material fact.

GENERAL PROVISIONS

§ 146.2 *Requests for working standard and certification; information and samples required.* (a) A request for certification of a batch shall be addressed to the Commissioner and shall be in a form specified by him. A request from a foreign manufacturer shall be signed by such manufacturer and by an agent of such manufacturer who resides in the United States.

(b) The initial request for certification of a batch of any drug submitted by any person shall be preceded or accompanied by a full statement of the facilities and controls used to maintain the identity, strength, quality, and purity of each batch, including a description of (1) the methods and processes used in the manufacture of the drug; (2) the tests and assays of the drug made during the manufacture of the batch and after it is packaged; and (3) the laboratory facilities used in such controls. Such initial request shall also be preceded or accompanied by the key of the batch marks used by such person and by specimens of all labeling (including specimens of all brochures and other printed matter, except readily available medical publications, referred to in such labeling) to be used for such drug. When any change is made in any such facility or control, or in any such key or labeling, such person shall promptly submit to the Commissioner a full statement of such change or, in the case of changed labeling, specimens showing all such changes.

(c) Each sample submitted pursuant to the regulations in this part shall be addressed to the Commissioner. Its package shall be clearly identified as to its contents and shall bear the name and post-office address of the person submitting it.

(d) In addition to the information and samples specifically required to be submitted to the Commissioner by the regulations in this part, the person who requests certification of a batch shall submit such further information and samples as the Commissioner may require for the purpose of investigations to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate.

(e) Upon the request of any person, stating reasonable grounds therefor, the Commissioner shall furnish such person with a portion of the working standard.

§ 146.3 *Certification.* (a) If it appears to the Commissioner, after such investigation as he considers necessary, that:

(1) The information (including results of tests and assays) and samples required by or pursuant to the regulations in this part have been submitted, and the request for certification contains no untrue statement of a material fact; and

(2) The batch complies with such regulations and conforms to the applicable standards of identity, strength, quality, and purity prescribed by such regulations;

the Commissioner shall certify that such batch is safe and efficacious for use, subject to such conditions on the effectiveness of certificates as are prescribed by § 146.4, and shall issue to the person who requested it a certificate to that effect.

(b) If the Commissioner determines, after such investigation as he considers to be necessary, that the information submitted pursuant to the regulations in this part, or the batch covered by such request, does not comply with the requirements set forth in paragraph (a) of this section for the issuance of a certificate, the Commissioner shall refuse to certify such batch and shall give notice thereof to the person who requested certification, stating his reasons for refusal.

(c) Compliance of a drug with the standards of identity, strength, quality, and purity prescribed by regulations in this part shall be determined by the tests and methods of assay prescribed for such drug by regulations in Part 141.

§ 146.4 *Conditions on the effectiveness of certificates.* (a) A certificate shall not become effective:

(1) If it is obtained through fraud or through misrepresentation or concealment of a material fact;

(2) With respect to any package unless it complies with the packaging requirements, if any, prescribed by the regulations in this part which were in effect on the date of the certificate;

(3) With respect to any package unless its label and labeling bear all words, statements, and other information required by such regulations; or

(4) With respect to any package of sodium penicillin or calcium penicillin when it is included in a packaged combination with another drug, unless such other drug complies with the requirements of such regulations.

(b) A certificate shall cease to be effective:

(1) With respect to any immediate container after the expiration date, if any, prescribed by such regulations;

(2) With respect to any immediate container when it or its seal (if such regulations require it to be sealed) is broken, or when its label or labeling ceases to conform to any labeling requirement prescribed by such regulations, except that:

(i) If the drug in such container is repacked or used as an ingredient in the manufacture of another drug, and certification of the batch thus made is requested, such certificate shall continue to be effective for a reasonable time to permit certification or destruction of such batch; or

(ii) If the drug is in a container packaged for dispensing and is used in compounding a prescription issued in his professional practice by a physician, dentist, or veterinarian licensed by law to administer or apply drugs, such certificate shall continue to be effective for a reasonable time to permit the delivery of the drug compounded on such prescription;

(3) With respect to any immediate container of sodium penicillin or calcium penicillin when it is included in the packaged combination penicillin with aluminum hydroxide gel, except that when certification of the batch so included is requested such certificate shall continue to be effective for a reasonable time to permit certification of such batch which is a part of such combination;

(4) With respect to any package when the drug therein fails to meet the standards of identity, strength, quality, and purity which were in effect on the date of the certificate; except that those minor changes which occur before the expiration date and which are normal and unavoidable in good storage and distribution practice shall be disregarded; or

(5) With respect to any package of sodium penicillin or calcium penicillin included in a packaged combination with another drug, when such other drug fails to meet the requirements of such regulations.

§ 146.5 *Records of Distribution.* (a) The person who requested certification shall keep complete records showing each shipment and other delivery (including exports) of each certified batch or part thereof by such person or by any person subject to his control. Such records shall show the date and quantity of each such shipment or delivery and the name and post-office address of the person to whom such shipment or delivery was made, and shall be kept for not less than three years after such date.

(b) Upon the request of any officer or employee of the Food and Drug Administration, or of any other officer or employee of the United States acting on behalf of the Administrator, the person to whom a certificate is issued shall at all reasonable hours make such records available to any such officer or employee and shall accord to him full opportunity to make inventory of stocks of such batch on hand and otherwise to check the correctness of such records.

§ 146.6 *Authority to refuse certification service.* When the Administrator finds, after giving notice and opportunity for hearing, that a person has:

(a) Obtained or attempted to obtain a certificate through fraud, or through misrepresentation or concealment of a material fact;

(b) Falsified the records required to be kept by § 146.5; or

(c) Failed to keep such records or to make them available, or to accord full opportunity to make an inventory of stocks on hand or otherwise to check the correctness of such records, as required by such section, and such failure may materially impair the certification service;

the Administrator will immediately suspend service to such person under the regulations in this part and will continue such suspension unless and until such person shows adequate cause why such service should be resumed.

§ 146.7 *New penicillin products.* Any request that the Administrator provide for the certification of batches of a drug for which no provision for certification is made in the existing regulations shall be in a form specified by the Commissioner and shall be accompanied by:

(a) A statement of the conditions for which the person who makes such request intends such drug to be used, and adequate directions for use in each such condition;

(b) Full reports of investigations which have been made to show whether or not such drug is safe and efficacious for use in such conditions;

(c) A full list of the articles used as components of such drug;

(d) A full statement of the composition of such drug;

(e) A full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug;

(f) A full description of, or references to publications containing practical and accurate tests and methods of assay to determine the identity, strength, quality, and purity of such drug;

(g) Such samples of such drug and of the articles used as components thereof as the Commissioner may require; and

(h) Specimens of all labeling (including all brochures and other printed matter, except readily available medical publications, referred to in such labeling) proposed to be used for such drug.

§ 146.8 *Fees.* (a) Fees for the services rendered under the regulations in this part shall be such as are necessary to provide, equip, and maintain an adequate certification service.

(b) The fee for such services with respect to each batch of a drug, certification of which is provided by such regulations, is the fee prescribed in the section relating specifically to such drug.

(c) When the Commissioner considers it necessary to make investigations of a new penicillin product, on which a request has been submitted in accordance with § 146.7, the fee for such service shall be the cost thereof. In such case the request shall be followed by an advance deposit in such amount as the Commissioner specifies, and thereafter such additional advance deposits shall be made as the Commissioner estimates may be necessary to prevent arrears in the payment of such fee.

(d) A person requiring continuing certification services may maintain an advance deposit of the estimated cost of such services for a two-month period. Such deposit shall be debited with fees for services rendered, but shall not be debited for any fee the amount of which is not definitely specified in these regulations unless the depositor has previously requested the performance of the services to be covered by such fee. A monthly statement for each such advance deposit shall be rendered.

(e) The unearned portion of any advance deposit shall be refunded to the depositor upon his application.

(f) All deposits and fees required by these regulations shall be paid by money order, bank draft, or certified check drawn to the order of the Treasurer of the United States, collectible at par, at Washington, D. C.

(g) All earned fees shall be deposited in the Treasury of the United States to the credit of Miscellaneous Receipts, Federal Security Agency.

(§§ 146.9 to 146.18, inclusive, reserved for future general provisions and exemptions.)

EXEMPTIONS

§ 146.19 *Exemptions for storage.* (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of a drug which is to be stored at a warehouse located elsewhere than at the place of manufacture shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such warehouse, from the requirements of section 502 (l) of the act if the labeling of each shipping container bears the batch mark of the drug, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for storage in such warehouse.

(b) An application for such a permit shall be in a form specified by the Commissioner, and shall give the name and location of the warehouse in which such drug is to be stored. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will request certification of each batch thereof unless it is exempt under § 801 (d) of the act or § 146.21 or 146.22, that he will not remove any of such drug from such warehouse unless it complies with § 502 (l) of the act or is so exempt or, if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured; that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug to such warehouse, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery; and

(2) A written statement signed by the operator of such warehouse showing that he has adequate facilities for such storage; such statement shall contain an agreement that he will hold each shipment or other delivery of such drug intact, under such conditions as will not cause failure of the drug to comply with the requirements for certification, that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records.

If the applicant keeps complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug from such warehouse and the name and post-office address of the person to whom such shipment or delivery was made, the agreement to keep records of such disposals, to make such records available, and to afford opportunity for checking their correctness may be included in the applicant's agreement and omitted from that of the operator.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such warehouse, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such warehouse unless such batch complies with section 502 (l) of the act or is exempt under section 801 (d) of the act or section 146.21 or 146.22 or, if certification is refused, unless such shipment or delivery is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such warehouse, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such warehouse unless such batch complies with section 502 (l) of the act or is exempt under section 801 (d) of the act or § 146.21 or 146.22 or, if certification is refused, unless such shipment or delivery, within a reasonable time, is destroyed or returned to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

§ 146.20 *Exemptions for processing.* (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of sodium penicillin or calcium penicillin in concentrated aqueous solution which is to be processed at an establishment located elsewhere than

at the place of manufacture, shall be exempt during the time of introduction into and movement in interstate commerce and the time of holding in such establishment from the requirements of section 502 (l) of the act if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for processing in such establishment, and each package of such solution bears the batch mark of the drug.

(b) An application for such a permit shall be in a form specified by the Commissioner and shall give the name and location of the establishment in which such processing is to be done. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, potency, and batch mark of each shipment and other delivery of any such solution to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for such processing; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after the processing is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.19, 146.21, 146.22, or 146.23, and that he will not remove any of such drug from such establishment unless it complies with section 502 (l) of the act or is so exempt.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such equipment or delivery or any part thereof, before or after processing, from such establishment unless the batch made from such shipment or delivery complies with section 502 (l) of the act or is exempt under section 801 (d) of the act or §§ 146.19, 146.21, 146.22, or 146.23 or, if certification is refused, unless such shipment or delivery is reprocessed and certified or destroyed within a reasonable time.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after processing, from such establishment unless the batch made from such shipment or delivery complies with section 502 (l) of the Act or is exempt under section 801 (d) of the act or §§ 146.19, 146.21, 146.22, or 146.23 or, if certification has been refused, unless such shipment or delivery is reprocessed and certified or destroyed within a reasonable time.

§ 146.21 *Exemptions for labeling and repacking.* (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of a drug which is to be labeled or repacked at an establishment located elsewhere than at the place of manufacture shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such establishment from the requirements of section 502 (l) of the act if the labeling of each shipping container bears the batch mark of the drug and the number of units per package, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for labeling or repacking in such establishment.

(b) An application for such a permit shall be in a form specified by the Commissioner, and shall give the name and location of the establishment in which such labeling or repacking is to be done. Such application shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such drug to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for such labeling or repacking; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof, that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after the labeling or repacking is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or § 146.19 or 146.23, and that he will not remove any of such drug from such establishment unless it complies with section 502 (l) of the act or is so exempt or, if certification is refused, unless it is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after labeling or repacking, from such establishment unless such batch complies with section 502 (l) of the act or is exempt under section 801 (d) of the act or § 146.19 or § 146.23 or, if certification is refused, unless such shipment or delivery is returned within a reasonable time to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof, before or after labeling or repacking, from such establishment unless such batch complies with section 502 (l) of the act or is exempt under section 801 (d) of the act or § 146.19 or § 146.23 or, if certification is refused, unless such shipment or delivery, within a reasonable time, is destroyed or returned to permit reprocessing and certification, destruction, or such exemption at the establishment where it was manufactured.

§ 146.22 *Exemptions for Manufacturing Use.* (a) Except as provided by paragraphs (c) and (d) of this section, a shipment or other delivery of sodium penicillin or calcium penicillin which is intended for use in manufacturing another drug and which is packed in containers of not less than twenty-five million units each shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in the establishment where it is so used, from the requirements of section 502 (l) of the act if it conforms to the standards prescribed therefor by the section of these regulations which is specifically applicable to such other drug, if the label of each container bears the batch mark of the drug, the number of units per package, and the date on which

the latest assay of the drug was completed, and if the person who introduced such shipment or delivery into interstate commerce holds a permit from the Commissioner authorizing shipment for manufacturing use in such establishment.

(b) An application for such a permit shall be in a form specified by the Commissioner, shall give the name and location of the establishment in which such sodium penicillin or calcium penicillin is to be used, and shall be accompanied by:

(1) A written agreement signed by the applicant that he will keep complete records showing the date, quantity, and batch mark of each shipment and other delivery of any such sodium penicillin or calcium penicillin to such establishment, and that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery;

(2) A written statement signed by the operator of such establishment showing that he has adequate facilities for the manufacture of such other drug; such statement shall contain an agreement that he will keep complete records showing the date of receipt by him and the quantity and batch mark of each such shipment and delivery and the disposition thereof and showing the quantity and batch mark of each batch of such other drug manufactured by him and the disposition thereof; that he will make such records available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such disposition, and that he will accord full opportunity to such officer or employee to make inventories of stocks on hand and otherwise check the correctness of such records; and

(3) A written agreement signed by the person who will own the drug after its manufacture is completed that he will request certification of each batch thereof unless it is exempt under section 801 (d) of the act or §§ 146.19, 146.21, or 146.23, and that he will not remove any of such drug from such establishment unless it complies with section 502 (l) of the act or is so exempt.

When the Commissioner finds, after giving notice and opportunity for hearing, that such application contains any untrue statement of a material fact or that any provision of any such agreement has been violated he may revoke such permit.

(c) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is the operator of such establishment, shall become void ab initio at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such establishment, prior to its use in the manufacture of another drug, unless it is exempt under section 801 (d) of the act.

(d) An exemption of a shipment or other delivery under paragraph (a) of this section, in case the person who introduced such shipment or delivery into interstate commerce is not the operator of such establishment, shall expire at the beginning of the act of removing or offering to remove such shipment or delivery or any part thereof from such establishment, prior to its use in the manufacture of another drug, unless it is exempt under section 801 (d) of the act.

§ 146.23 *Exemptions for investigational use.* (a) A shipment or other delivery of a drug shall be exempt from sec. 502 (l) of the act if all of the following requirements are complied with:

(1) The label of such drug bears the batch mark and the statement "Caution—Limited by Federal law to investigational use only."

(2) Such shipment or delivery is made only to, and solely for investigational use by or under the direction of, an expert qualified by scientific training and experience to investigate the safety or efficacy of such drug.

(3) The person who introduced such shipment or delivery into interstate commerce keeps complete records showing the date, quantity, and batch mark of each such shipment and delivery.

(4) Such person, prior to making such shipment or delivery, obtains a statement signed by such expert showing that he has adequate facilities for the investigation to be conducted by him, and that such drug will be used solely by him or under his direction for the investigation. Such person shall keep such statement.

(5) Such person makes all documents referred to in subparagraphs (3) and (4) of this paragraph available to any officer or employee of the Food and Drug Administration at any reasonable hour within three years after the date of such shipment or delivery.

(b) An exemption of a shipment or other delivery of a drug under paragraph (a) of this section shall become void ab initio if—

(1) The person who introduced such shipment or delivery into interstate commerce fails to keep any document required to be kept by such paragraph; or

(2) Such person fails to make any such document available for inspection as required by such paragraph.

(c) An exemption of a shipment or other delivery of a drug under paragraph (a) of this section shall expire upon the use of any part of such shipment or delivery other than in accordance with the signed statement referred to in subparagraph (4) of such paragraph.

§ 146.24 *Sodium Penicillin (Penicillin Sodium, Penicillin Sodium Salt), Calcium Penincillin (Penicillin Calcium, Penicillin Calcium Salt)*—(a) *Standards of identity, strength, quality, and purity.* Sodium penicillin is the sodium salt of a kind of penicillin, or a mixture of two or more such salts; calcium penicillin is the calcium salt of a kind of penicillin, or a mixture of two or more such salts. Each such drug is so purified and dried that:

(1) Its potency is not less than 500 units per milligram, except that if it contains not less than 90 percent of a salt of penicillin X its potency is not less than 350 units per milligrams;

(2) It is sterile;

(3) It is nontoxic;

(4) It is nonpyrogenic; and

(5) Its moisture content is not more than 2.5 percent.

(b) *Packaging.* In all cases the immediate containers of sodium penicillin and calcium penicillin shall be tight containers as defined on page 6 of the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case sodium penicillin or calcium penicillin is packaged for dispensing it shall be in immediate containers of colorless transparent glass which meet the test for containers of type I prescribed on page 568 of the U. S. P., closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness; each container shall contain 100,000 units, 200,000 units, 500,000 units, 1,000,000 units or 5,000,000 units, and each may be packaged in combination with a container of the solvent, water for injection U. S. P., dextrose injection 5 percent U. S. P., or physiological salt solution U. S. P.

(c) *Labeling.* Each package of sodium penicillin and calcium penicillin shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container; and

(iii) The statement "Expiration date ____", the blank being filled in with the date which is eighteen months after the month during which the batch was certified.

(2) On the outside wrapper or container, the statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)".

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration, including method of preparation and strength of solutions for different routes of injection and local application;

(iii) The conditions under which such solutions should be stored, including a reference to their instability when stored under other conditions and the statement "Sterile solution may be kept in refrigerator for one week without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration, including sensitization.

If two or more such immediate containers are in such package, the number of such circulars or other labeling

shall not be less than the number of such containers.

(d) *Requests for certification, check tests and assays; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of sodium penicillin or calcium penicillin shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, the number of units in each package, and (unless it was previously submitted) the date on which the latest assay of the drug comprising the batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, sterility, toxicity, pyrogens, and moisture, and if such batch or any part thereof is to be packaged with a solvent, a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) If such batch is packaged for dispensing such persons shall submit with his request a sample consisting of one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than 5 immediate containers or more than 12 immediate containers. Such sample shall be collected by taking single immediate containers, before or after labeling, at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(3) If such batch is packaged for repacking or for use as an ingredient in the manufacture of another drug, such person shall submit with his request a sample consisting of 5 approximately equal portions of at least 20 milligrams each taken from different parts of such batch; each such portion shall be packaged in a separate container, and in accordance with the requirements of paragraph (b) of this section.

(4) In connection with contemplated requests for certification of batches of repacked sodium penicillin or calcium penicillin or batches of another drug in the manufacture of which it is to be used, the manufacturer of a batch of sodium penicillin or calcium penicillin which is to be so repacked or used may request the Commissioner to make check tests and assays on a sample of such batch taken as prescribed by subparagraph (3) of this paragraph. From the information required by subparagraph (1) of this paragraph may be omitted results of tests and assays not required for sodium penicillin and calcium penicillin used in such other drug. The Commissioner shall report to such manufacturer the results of such check tests and assays as are so requested.

(e) *Fees.* The fee for the services rendered with respect to each batch of sodium penicillin or calcium penicillin under the regulations in this part shall be:

(1) $3.00 for each immediate container in the sample submitted in accordance with paragraph (d) (2), (3), and (4) of this section, or if the batch is represented as a salt of penicillin X, $6.00 for each such immediate container; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.25 *Penicillin in oil and wax (calcium penicillin in oil and wax)*—(a) *Standards of identity, strength, quality, and purity.* Penicillin in oil and wax is a suspension of calcium penicillin in a menstruum of refined peanut oil or sesame oil in which white wax is dispersed. Its potency is 100,000 units, 200,000 units, or 300,000 units per milliliter. Its content of white wax is not less than 3 percent (w/v) if its potency is 100,000 units or 200,000 units per milliliter, and not less than 4.7 or more than 4.9 percent (w/v) if its potency is 300,000 units per milliliter. Its moisture content is not more than 1.0 percent. It is sterile. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), but its potency is not less than 750 units per milligram if it is used in making the 100,000 unit or 200,000 unit strength, and not less than 900 units per milligram if it is used in making the 300,000 unit strength. The sesame oil used conforms to the standards prescribed therefor by the N. F. The white wax used conforms to the standards prescribed therefor by the U. S. P.

(b) *Packaging.* The immediate container of penicillin in oil and wax shall be of colorless transparent glass so closed as to be a tight container as defined on page 6 of the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that its contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The quantity of penicillin in oil and wax in each such container shall be such that as much as 1 milliliter but not more than 20 milliliters may be withdrawn therefrom, unless it is packaged for repacking.

(c) *Labeling.* Each package of penicillin in oil and wax shall bear, on its label or labeling as hereinafter indicated the following:

(1) On the outside wrapper or container and the immediate container of the package:

(i) The batch mark;

(ii) The number of units per milliliter of the batch;

(iii) The statement "Expiration date _____", the blank being filled in with the date which is nine months after the month during which the batch was certified; and

(iv) The statement "For intramuscular use only".

(2) On the outside wrapper or container, the statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)".

(3) On the circular or other labeling within or attached to the package, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indication;

(ii) Dosage and administration, including site of injection;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration, including sensitization.

If two or more such immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin in oil and wax shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that the peanut oil or sesame oil and white wax used in making such batch conform to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, moisture.

(ii) The calcium penicillin used in making the batch; potency, sterility, toxicity, pyrogens, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one sample package of not less than 1.3 milliliters for each 500 packages in the batch, but in no case less than 3 sample packages or more than 12 sample packages, collected by taking single sample packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The calcium penicillin used in making the batch; 5 packages containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, the peanut oil or sesame oil and white wax used in making the batch; one package of each containing, respectively, approximately 250 grams and 25 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3)

(ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the service rendered with respect to each batch of penicillin in oil and wax under the regulations in this part shall be:

(1) $6.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.26 *Penicillin Ointment (Calcium Penicillin Ointment, Penicillin Ointment Calcium Salt)*—(a) *Standards of identity, strength, quality, and purity.* Penicillin ointment is calcium penicillin in an ointment base composed of wool fat, petrolatum, or white petrolatum, or any mixture of two or all of these, with or without liquid petrolatum, white wax, yellow wax, cottonseed oil, or peanut oil, oxycholesterin derivatives from wool fat, or any mixture of two or all of these. Its moisture content is not more than 1.0 percent. Its potency is not less than 250 units per gram. Its content of viable microorganisms is not greater than is consistent with good pharmaceutical manufacturing practice. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), and (4) thereof, but its potentcy is not less than 300 units per milligram. The peanut oil is refined; each other component of the ointment base conforms to the standards prescribed therefor by the U. S. P.

(b) *Packaging.* Penicillin ointment shall be packaged in collapsible tubes, which shall be well-closed containers as defined on page 6 of the U. S. P., and shall not be larger than the one-eighth ounce size if such ointment is represented for ophthalmic use and in no case larger than the one ounce size. The composition of the tubes and closure shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of penicillin ointment shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units per gram of the batch;

and

(iii) The statement "Expiration date ----------", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) The statement "Caution: To be dispensed only by or on the prescription of a physician"; and

(iii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contra-indications and possible sensitization) adequate for the use of such ointment by physicians; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure or printed matter will be sent to physicians on request.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2 a person who requests certification of a batch of penicillin ointment shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that each component of the ointment base used conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, moisture, microorganism count.

(ii) The calcium penicillin used in making the batch; potency, toxicity, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one package for each 5000 packages in the batch, but in no case less than 5 packages or more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The calcium penicillin used in making the batch; 5 packages containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, the ingredients used in making the ointment base of the batch; one package of each containing approximately 200 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin ointment under the regulations in this part shall be:

(1) $6.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.27 *Tablets buffered penicillin (tablets buffered penicillin sodium, tablets buffered penicillin calcium, tablets buffered penicillin sodium salt, tablets buffered penicillin calcium salt)*—(a) *Standards of identity, strength, quality, and purity.* Tablets buffered penicillin is sodium penicillin or calcium penicillin or both and one or more of the buffer substances sodium citrate, citric acid, aluminum hydroxide, calcium carbonate, magnesium oxide, and aluminum-dihydroxyamino acetate. It is tableted with or without the addition of one or more suitable and harmless diluents, binders, and lubricants. The potency of each tablet is not less than 20,000 units; its moisture content is not more than 1.0 percent. The sodium penicillin and calcium penicillin used conform to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), and (4) thereof, but its potency is not less than 300 units per milligram. Each buffer substance, diluent, binder, and lubricant, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* Unless each tablet buffered penicillin is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the tablets by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The number of tablets in the immediate container is such that the total number of units therein is not less than 300,000.

(c) *Labeling.* Each package of tablets buffered penicillin shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each tablet of the batch;

(iii) The name of each buffer substance used in making the batch; and

(iv) The statement "Expiration date _____", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container, the statements:

(i) "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)".

(ii) "Caution: To be dispensed only by or on the prescription of a physician".

(3) On the circular or other labeling within or attached to the package, unless it is packaged for repacking, directions and precautions adequate for the use of such tablets by physicians, including:

(i) Clinical indications;

(ii) Dosage and administration;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration, including those from any buffer substance present.

If two or more such immediate containers are in such package the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of tablets buffered penicillin shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin and calcium penicillin used in making such batch was completed, the number of units in each tablet, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that each buffer substance, diluent, binder, and lubricant conforms to the requirements prescribed therefor, if any, by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per tablet, average moisture.

(ii) The sodium penicillin and the calcium penicillin used in making the batch; potency, toxicity, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one tablet for each 5,000 tablets in the batch, but in no case less than 20 tablets or more than 100 tablets, collected by taking single tablets at such intervals throughout the entire time of tableting that the quantities tableted during the intervals are approximately equal.

(ii) The sodium penicillin and calcium penicillin used in making the batch: five packages of each containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each buffer substance, diluent, binder, and lubricant used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of tablets buffered penicillin under the regulations in this part shall be:

(1) $0.75 for each tablet in the sample submitted in accordance with paragraph (d) (3) (i). $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such tablets and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.28 *Capsules penicillin in oil (capsules sodium penicillin in oil, capsules calcium penicillin in oil, capsules penicillin in oil sodium salt, capsules penicillin in oil calcium salt)*—(a) *Standards of identity, strength, quality, and purity.* Capsules penicillin in oil is a suspension of sodium penicillin or calcium penicillin or both in refined vegetable food oil, enclosed in gelatin capsules which may be coated with white shellac. The potency of each capsule is not less than 20,000 units; the moisture in its contents is not more than 1.0 percent. The sodium penicillin and calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), and (4) thereof, but its potency is not less than 300 units per milligram. Each oil used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* Unless each capsule of penicillin in oil is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contian a desiccant separated from the capsules by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. The number of capsules in the immediate container is such that the total number of units therein is not less than 300,000.

(c) *Labeling.* Each package of capsules penicillin in oil shall bear, on its label or labeling as hereinafter indicated, the folowing:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each capsules of the batch;

(iii) The name of each oil used in making the batch; and

(iv) The statement "Expiration date _____", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container, the statements:

(i) "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)"; and

(ii) "Caution: To be dispensed only by or on the prescription of a physician."

(3) On the circular or other labeling within or attached to the package, unless it is packaged for repacking, directions and precautions adequate for the use of such capsules by physicians, including—

(i) Clinical indications;

(ii) Dosage and administration;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of capsules penicillin in oil shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin and calcium penicillin used in making such batch was completed, the number of units in each capsule, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that each oil used conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per capsule, average moisture in its contents.

(ii) The sodium penicillin and calcium penicillin used in making the batch; potency, toxicity, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with

his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one capsule for each 5,000 capsules in the batch, but in no case less than 20 capsules or more than 100 capsules, collected by taking single capsules at such intervals throughout the entire time of capsuling that the quantities capsuled during the intervals are approximately equal.

(ii) The sodium penicillin and calcium penicillin used in making the batch; five packages of each containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each oil used in making the batch; one package of each containing approximately 250 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of capsules penicillin in oil under the regulations in this part shall be:

(1) $1.50 for each capsule in the sample submitted in accordance with paragraph (d) (3) (i), $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such capsules and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.29 *Penicillin with aluminum hydroxide gel*—(a) *Standards of identity, strength, quality, and purity.* Penicillin with aluminum hydroxide gel is a packaged combination of one immediate container of sodium penicillin or calcium penicillin and one immediate container of aluminum hydroxide gel. Such sodium penicillin or calcium penicillin conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1) and (4) thereof, but its potency is not less than 300 units per milligram. Such aluminum hydroxide gel conforms to the standards prescribed therefor by the U. S. P., but contains not more than 50 viable microorganisms per milliliter.

(b) *Packaging.* The immediate container of the sodium penicillin or calcium penicillin shall conform to the packaging requirements set forth in § 146.24 (b), except that it shall contain not less than 300,000 units and its closure may be one through which a hypodermic needle cannot be introduced. The immediate container of the aluminum hydroxide gel shall be a tight container as defined on page 6 of the U. S. P.; the quantity therein shall be 30 milliliters for each 100,000 units in the immediate container of sodium penicillin or calcium penicillin.

(c) *Labeling.* Each package of penicillin with aluminum hydroxide gel shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and on the immediate container of the sodium penicillin or calcium penicillin:

(i) The batch mark;

(ii) The number of units in such container; and

(iii) The statement "Expiration date ------", the blank being filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the immediate container of the sodium penicillin or calcium penicillin, the statement "Warning—Not for injection," unless it conforms to the standards and packaging requirements prescribed therefor by § 146.24 (a) and (b), except that the immediate container may contain 300,000 units.

(3) On the outside wrapper or container of the package, the statements:

(i) "Caution: To be dispensed only by or on the prescription of a physician," and

(ii) "Store in refrigerator not above 15° C. (59° F.)," or "Store below 15° C. (59° F.)."

(4) On the circular or other labeling within or attached to the package, directions and precautions adequate for the use of such combination by physicians, including:

(i) Clinical indications;

(ii) Dosage and administration, including method of mixing the sodium penicillin or calcium penicillin with the aluminum hydroxide gel;

(iii) The conditions under which the mixture should be stored, including a reference to its instability when stored under other conditions and the statement "The mixture may be kept in refrigerator for one week without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of sodium penicillin or calcium penicillin for inclusion in such combination shall submit with his request a statement showing the batch mark of the sodium penicillin or calcium penicillin, the number of packages thereof in such batch, the number of units in the immediate container thereof, and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin or calcium penicillin included in such combination was completed, and a statement that the aluminum hydroxide gel conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays made by him on an accurately representative sample of the sodium penicillin or calcium penicillin for potency, sterility, toxicity, and moisture.

(3) If the sodium penicillin or calcium penicillin has not been certified previously such person shall submit in connection with his request a sample of the batch consisting of one package for each 5,000 packages in the batch, but in no case less than 5 packages or more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(4) No result referred to in subparagraph (2) of this paragraph is required if such result has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of sodium penicillin or calcium penicillin for inclusion in combination with aluminum hydroxide gel under the regulations in this part shall be:

(1) $3.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) of this section, or $1.00 if no such sample is submitted, and

2) If the Commissioner considers that investigations, other than examination of such containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.30 *Penicillin troches (sodium penicillin troches, calcium penicillin troches, penicillin troches sodium salt, penicillin troches calcium salt)*—(a) *Standards of identity, strength, quality, and purity.* Penicillin troches are troches composed of sodium penicillin or calcium penicillin or both and one or more suitable and harmless diluents, binders, and lubricants, with or without one or more suitable and harmless masticatory substances, colorings, and flavorings. The potency of each troche is not less than 500 units; the moisture content is not more than 1.0 percent. The sodium penicillin and calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), and (4) thereof, but the potency is not less than 300 units per milligram. Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) Packaging. Unless each penicillin troche is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the troches by a plug of cotton or other like material. The composition of the immediate container, or foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the con-

tents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) Labeling. Each package of penicillin troches shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in each troche of the batch; and

(iii) The statement "Expiration date _____", the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) The statement "Caution: To be dispensed only by or on the prescription of a physician"; and

(iii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such troches by physicians; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent to physicians on request.

(3) On the label and labeling if a masticatory substance is present, wherever the name penicillin troches appears, the word "chewing" or "masticatory" in juxtaposition with such name.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin troches shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the sodium penicillin and calcium penicillin used in making such batch was completed, the number of units in each troche, the quantity of each ingredient used in making the batch, the date on which the latest assay of the troches comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per troche, average moisture.

(ii) The sodium penicillin and calcium penicillin used in making the batch; potency, toxicity, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one troche for each 5,000 troches in the batch, but in no case less than 20 troches or more than 100 troches, collected by taking single troches at such intervals throughout the entire time the troches are being made, that the quantities made during the intervals are approximately equal.

(ii) The sodium penicillin and calcium penicillin used in making the batch; five packages of each containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin troches under the regulations in this part shall be:

(1) $0.75 for each troche in the sample submitted in accordance with paragraph (d) (3) (i), $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii), of this section; and

(2) If the Commissioner considers that investigations, other than examination of such torches, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.31 *Penicillin dental cones (calcium penicillin dental cones, penicillin dental cones calcium salt)*—(a) *Standards of identity, strength, quality, and purity.* Penicillin dental cones are composed of calcium penicillin and one or more suitable and harmless diluents, binders, and lubricants, with or without one or both of the sulfonamides sulfanilamide and sulfathiazole. The potency of each cone is not less than 500 units; the moisture content is not more than 1.0 percent; the content of variable microorganisms is not more than 50 per gram. If a sulfonamide is used its quantity is not less than 0.032 gram per cone. The calcium penicillin used conforms to the standards prescribed therefor by § 146.24 (a), except subparagraphs (1), (2), and (4) thereof, but its potency is not less than 300 units per milligram. Each diluent, binder, lubricant, and sulfonamide used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* Unless each penicillin dental cone is enclosed in foil or plastic film and such enclosure complies with the definition of tight container on page 6 of the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the cones by a plug of cotton or other like material. The composition of the immediate container, or foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of penicillin dental cones shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container;

(i) The batch mark;

(ii) The number of units in each cone of the batch;

(iii) The statement "Expiration date _____," the blank being filled in with the date which is nine months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) The statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)";

(ii) The statement "Caution: To be dispensed only by or on the prescription of a dentist or physician"; and

(iii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such cones by dentists and physicians; or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent to dentists and physicians on request.

(3) On the label and labeling if a sulfonamide is present, after the name penicillin dental cones wherever it appears, the words "with _____" in juxtaposition with such name, the blank being filled in with the name of the sulfonamide used.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin dental cones shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the calcium penicillin used in making such batch was completed, the number of units in each cone, the quantity of each ingredient used in making the batch, the date on which the latest assay of

the cones comprising such batch was completed, and that each binder, diluent, lubricant, and sulfonamide used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per cone, average moisture, micro-organism count.

(ii) The calcium penicillin used in making the batch; potency, toxicity, moisture.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one cone for each 5,000 cones in the batch, but in no case less than 20 cones or more than 100 cones, collected by taking single cones at such intervals throughout the entire time the cones are being made that the quantities made during the intervals are approximately equal.

(ii) The calcium penicillin used in making the batch; five packages containing approximately equal portions of not less than 20 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

(iii) In case of an initial request for certification, each other substance used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch of penicillin dental cones under the regulations in this part shall be:

(1) $0.75 for each cone in the sample submitted in accordance with paragraph (d) (3) (i). $3.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such cones and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

The regulations hereby promulgated shall become effective ten days after the date of their publication in the FEDERAL REGISTER.

Dated: August 30, 1945.

[SEAL] PAUL V. MCNUTT,
Administrator.

[F. R. Doc. 45-16374; Filed, Aug. 31, 1945; 11:21 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL MOVING VIA GREAT LAKES AND EX-LAKE DOCK

To reduce the amount of bituminous coal permitted to be placed in stockpiles by industrial consumers of coal moving via the Great Lakes or ex-lake dock, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) The amount of coal moving via the Great Lakes or ex-lake dock which any shipper, including a commercial lake dock operator, is committed to furnish to any industrial consumer, shall be reduced 5 per cent. This direction shall apply to commitments made pursuant to the provisions of SFAW Regulation No. 24, as amended, No. 25, as amended, and No. 27, as amended, as modified by any SFAW directions, specific authorizations or adjustments. This direction shall apply to all sizes and kinds of bituminous coal, including coal for special purpose use but shall not apply to shipments of coal used in the manufacture of briquettes.

(2) Provisions of SFAW regulations governing the rate of shipments of coal subject to this direction are continued in effect, but shall apply to the amounts of such coal permitted to be shipped by paragraph 1 of this section.

(3) Notwithstanding the provisions of SFAW Regulation No. 24, as amended, No. 25, as amended, and No. 27, as amended, no industrial consumer shall receive more coal than is permitted to be shipped to him pursuant to the provisions of this direction.

(4) In view of the fact that some shippers have not taken adequate measures to arrange their distribution schedules so as to make shipments of coal moving via the Great Lakes at the rate required by §§ 602.702 (b) and 602.704 of SFAW Regulation No. 27, as amended, industrial consumers and commercial lake dock operators shall report to SFAW on the first day of each month during the balance of the 1945 season of lake navigation commencing September 1, 1945 the names of such delinquent shippers and the tonnage involved and SFAW will take appropriate compliance action.

This direction shall become effective forthwith.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 30th day of August 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-16377; Filed, Aug. 31, 1945; 11:22 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

[12th Supp. Dept. Circ. 570, Rev. Apr. 20, 1943]

PART 226—SURETY COMPANIES

SURETY BONDS

AUGUST 30, 1945.

A certificate of authority has been issued by the Secretary of the Treasury to the following company under the act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (U. S. Code, title 6, secs. 6-13) as an acceptable surety on Federal bonds. An underwriting limitation of $87,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

Name of company, location of principal executive office and State in which incorporated: Vermont, American Fidelity Company, Montpelier.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 45-16366; Filed, Aug. 31, 1945; 11:18 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838; Area Coordinator's Gen. Direction P-20, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to Order 1838 of the Secretary of the Interior, as amended June 6 and August 13, 1945, § 401.2 entitled "Coordinated Pilchard Production Plan" (10 F.R. 6984, 10239), commonly referred to as the Pilchard Order, and in order to accomplish the purposes thereof, subparagraph (e) is added to paragraph numbered 1 of General Direction P-20, dated July 31, 1945 (10 F.R. 9964), as follows:

1. *Dispatching system* * * *

(e) *Definitions.* The definitions set out in paragraph (c) of the Pilchard Order will be applicable to this General Direction, except that Princeton, at Half Moon Bay, is added to and shall be included in the Port of San Francisco.[1]

Issued this 24th day of August 1945.

H. W. TERHUNE,
Area Coordinator, Area II.

[F. R. Doc. 45-16286; Filed, Aug. 30, 1945; 4:35 p. m.]

[1] As of August 24, 1945, the date when this amendment was issued, no processing plant at Half Moon Bay was yet ready to operate. However, a plant in Princeton, at Half Moon Bay, is expected to be ready for operation in the near future.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–752, Revocation]

CHARLES H. GIMPEL

Suspension Order No. S–752, effective April 9, 1945, was issued against Charles J. H. Gimpel and Elizabeth A. Gimpel, doing business as Charles H. Gimpel, 72–74 Front Street, New York, New York, for violation of Limitation Order L–335. Due to a change in conditions presented by the respondent in an appeal for revocation to the Chief Compliance Commissioner, he has directed that Suspension Order No. S–752 be revoked. In view of the foregoing: it is hereby ordered, that: § 1010.752, *Suspension Order No. S–752* be revoked.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–16280; Filed, Aug. 30, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–895, Stay of Execution]

GILBERTON CO.

Albert L. Kanter, Rose E. Kanter, Raymond N. Haas and Myer Levy, partners doing business under the trade name of Gilberton Company, are appealing from the provisions of Suspension Order No. S–895 (§ 1010.895), issued August 22, 1945, and have requested a stay on the ground that irreparable harm would be done the business if the suspension order were not stayed. Deputy Chief Compliance Commissioner Bok has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of an appeal or until further order by the Chief Compliance Commissioner or his deputy.

In view of the foregoing: it is hereby ordered, that: The provisions of *Suspension Order No. S–895*, issued August 22, 1945, and effective August 29, 1945, are hereby stayed, subject to reinstatement, pending final determination of an appeal or until further order by the Chief Compliance Commissioner, or his deputy.

This stay of execution shall take effect on August 29, 1945.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–16288; Filed, Aug. 30, 1945; 4:41 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–b, as Amended Aug. 31, 1945]

§ 1041.2 *Preference Rating Order P–98–b*—(a) *Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry in the United States, its territories (except Hawaii) or possessions.

(2) "Petroleum" means crude oil, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Petroleum industry" includes any of the following activities and any operation directly incident to these activities:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline recovery);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

and includes for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into more effective methods of conducting petroleum industry operations by means of research, technical or control laboratories.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Maintenance and repair shall not include (*a*) the drilling, redrilling, deepening, plugging back, or multiple completion of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (*b*) the extension or the initial construction or installation of a field gas gathering line, or (*c*) the installation or replacement in marketing of any "equipment" defined as such in Petroleum Administrative Order 12.

(5) "Operating supplies" means material, other than material used for maintenance and repair, which is consumed in petroleum operations and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense.

(6) "Laboratory equipment" means instruments and equipment for use in a petroleum research, technical or control laboratory. This does not include material for use in the construction of a laboratory, pilot plant or other structure.

(b) *Purpose of order.* This order will be used to secure priorities assistance for all material required to conduct petroleum operations. In addition, an MRO rating assigned by this order may be used to secure the services of repairmen and the like to the extent consistent with Priorities Regulation 3. However, under this order priorities assistance may not be used to obtain any of the following material:

(1) Material listed on Schedule A of this order.

(2) Material or equipment to be used by a consumer account for or in the storage or dispensing of petroleum, including liquefied petroleum gas. (See Order P–98–e.)

(3) Tank trucks and trailers, railroad rolling stock or marine equipment, other than parts necessary for containing and moving petroleum by tank truck or trailer; parts for railroad rolling stock not under the jurisdiction of the I. C. C.; and parts for marine equipment where other ways of getting priorities assistance are not available.

How To Obtain Material

(c) *Assignment of ratings and symbols.* (1) An operator may use the appropriate preference ratings and allotment symbols in the table below to secure the material specified (for exceptions see paragraph (d)):

NOTE: Table amended in its entirety Aug. 31, 1945.

Preference rating and allotment symbol	Material which may be secured with the indicated rating and symbol
AA–1; MRO–P–3	Material for maintenance and repair, operating supplies or laboratory equipment (all known as MRO material) and other material not exceeding in material cost $500 for use in each single operation. This provision applies to any use of material in the petroleum industry other than in a service station or retail outlet.
AA–2X; P–1	Material (other than MRO material) for use in production, except in connection with a "special production operation," as defined in paragraph (e).
AA–2X; F–5	Material (other than MRO material) for use in connection with a crude oil gathering line.
AA–3; F–5	Material (other than MRO material) for use in a special production operation or in natural gasoline recovery, transportation or refining but not to exceed $25,000 for each single operation.
AA–5; MRO–P–3	MRO material for use in connection with a service station or retail outlet. (See Direction 2 to P–98–b for another rating available.)

(2) *Information on delivery orders.* The following information must be shown by an operator on each delivery order for controlled material using the priorities assistance of this paragraph (c):

Allotment symbol.
PAW District in which the material will be used.
Use to which the material will be put.
Weight of the material by item.
Month in which delivery of the material is promised.
Certification of paragraph (g) of this order.

(3) *Filing of delivery orders with PAW.* Where required by the provisions of this paragraph, delivery orders must be submitted to the PAW District Office for the District in which the material will be used, or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located. They should be marked "Ref: Materials Division."

Delivery orders for controlled materials using the priorities assistance of this paragraph (c) must be submitted to the Petroleum Administration for War as follows:

(i) Delivery orders with a total cost of more than $100 but not more than $2,500 and with no item of more than $500—one copy for accounting purposes.

(ii) Delivery orders with a total cost of more than $2,500 or with any item of more than $500—the original and two copies for approval, and the operator may not place that order with a supplier until the approved original and one copy have been returned to him.

It is no longer necessary for operators to submit delivery orders for materials other than controlled materials to the Petroleum Administration for War.

In preparing or placing a delivery order an operator shall not alter the customary designation of any item or items for the purpose of making it appear that an item costs $500 or less or that the total cost of all items on the delivery order is $100 or less or $2,500 or less, as the case may be.

(d) *Exceptions to use of assigned ratings and symbols.* (1) The preference ratings and allotment symbols assigned in paragraph (c) may not be used to secure material covered by Schedule B or C of this order. Instead the procedures described in this paragraph will be used.

(2) *Material on Schedule B—special MRO symbol and rating.* An operator must in each case request a rating and symbol for material on Schedule B. The request will be made by submitting the original and two copies of the delivery order, regardless of cost, for approval to the PAW District Office for the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located), Ref: Materials Division. The operator should show on each delivery order the certification of paragraph (g), and include on the order (or in an accompanying statement) information on the specific use to which the material will be put and why the particular item is required. The operator may not place the order with a supplier until the approved original and one copy have been returned to him.

(3) *Material on Schedule C.* To secure material covered by Schedule C, an operator must apply on the appropriate form in that schedule.

(e) *Application for ratings and symbol for operations not covered by paragraph (c).* (1) Apply on PAW Form 30. It is necessary to apply on PAW Form 30 for priorities assistance for material to be used in a special production operation or in natural gasoline recovery, transportation, refining or marketing where a specific authorization is required by Petroleum Administrative Order 11, Petroleum Administrative Order 12 or Petroleum Administrative Order 15. This, of course, means that it is not necessary to apply on PAW Form 30 for priorities assistance for material to be used in an operation covered by paragraph (c) of this order.

"Special production operations" are:

Gas cycling operations for condensate recovery.
Gas desulphurization operations.
Gas dehydration operations.
Pressure maintenance operations.
A gas lift compression plant or a field gas booster plant.

Form WPB–541 should be used instead of PAW Form 30 in marketing to request a preference rating for machinery or equipment, if the machinery or equipment will be installed with the use of no more than $500 worth of material obtained with the MRO rating of this order.

Form WPB–541, or such other form as may be specified by any WPB order, should be used instead of this form to request a preference rating for material (such as construction machinery or equipment) which will not be incorporated into the proposed plant or facility.

Form WPB–541 applications should be filed with the nearest War Production Board Field Office.

(2) *Special requirements for certain material and equipment.* Schedule D of this order lists, as part of the "Construction Standards," certain material and equipment which in general may be acquired or used in an operation covered by a PAW Form 30 application only in accordance with certain limitations, or which may not be acquired or used without specific permission. If it is necessary to use such material or equipment in a manner other than as permitted by Part 2 of the schedule or to use the products listed in Part 3 of the schedule, the operator must specifically identify such use in accordance with the instructions to PAW Form 30. If an operator is authorized on Form GA–1456 Petroleum to get and use any equipment listed in Part 3 of Schedule D, he may do so without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter.

(3) *How to use allotment symbol and preference rating*—(i) *Placing on delivery orders.* Each delivery order for controlled material must bear the allotment symbol assigned. Each delivery order for material other than controlled material must bear the preference rating assigned, and the applicable allotment symbol. Each delivery order must also bear the standard certification of paragraph (g), and in addition the following certification, if for equipment listed in Part 3 of Schedule D and authorized by a Form GA–1456 Petroleum:

Delivery approved on Form GA–1456 under Order P–98–b (approval equivalent to that under Direction 1 to CMP Regulation 6).

(ii) *Use of any allotment symbol.* Any allotment symbol assigned on a Form GA–1456 Petroleum may be used by the following persons in addition to the operator to order controlled materials and Class A products:

(*a*) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the operation.

(*b*) By contractors and sub-contractors doing all or any part of the construction work.

Such allotment symbol may be used only where the manufacturer, contractor, or sub-contractor, as the case may be, has received a statement in substantially the following form endorsed on the order or contract by the person placing it:

Serial Number _____ (identifying project). You are authorized to use allotment symbol _____ to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard certification in paragraph (g) of this order may not be used instead of the above statement (but both will be used to order a Class A product.)

(iii) *Purchase order filing not required.* Any rating or allotment symbol assigned pursuant to an application on PAW Form 30, Form WPB–541 or other appropriate form may be used without submitting purchase orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

General Provisions

(f) *How to obtain authority to use material.* An operator may use material for maintenance or repair or as operating supplies, or in any other operation only in accordance with the provisions of Order L–86 or other applicable Petroleum Administrative Orders, listed in this paragraph. Unless a desired use of material is permitted by the terms of the appropriate order, the operator must secure an authorization under or an exception to that order, as the case may be.

(1) Use of material in production (including "special production operations")

or in natural gasoline recovery is governed by Petroleum Administrative Order 11, as amended and supplemented from time to time.

(2) Use of material in transportation or refining is governed by Petroleum Administrative Order 15, as amended and supplemented from time to time.

(3) Use of material (other than liquefied petroleum gas equipment covered by Order L–86) in marketing is governed by Petroleum Administrative Order 12, as amended and supplemented from time to time.

(g) *Certification for delivery orders.* The certification required to be placed on delivery orders is as follows:

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

This certification may be used as provided in Priorities Regulation 7.

(h) *Placement of delivery orders for controlled materials.* Under many War Production Board orders and regulations, a delivery order for controlled materials which is an authorized controlled material order is given special treatment. Any delivery order for controlled materials placed pursuant to this order and bearing the certification of paragraph (g) of this order is an authorized controlled material order if the delivery order is in sufficient detail to be placed on a mill schedule and if it specifies the month in which delivery is requested or promised.

(i) *Restoration of inventories.* An operator may use an allotment number or symbol or preference rating authorized under this order to restore his inventory to a practicable working minimum. However, an operator may not secure replacements which would result in surplus material as defined in Order P–98–c as amended.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order should, unless other directions are given, be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P–98–b.

(k) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(l) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations 2, 5, 5A and 6 (or the limitations incorporated in any CMP Regulation which otherwise would subject an operator to the provisions of CMP Regulation 2, 5, 5A or 6) shall apply to an operator, and no operator shall obtain any material under or be limited by the provisions of such regulations or limitations. The provisions of paragraphs (i), (s), (s–1) and (u) of CMP Regulation 1 shall not apply to an operator who secures material in accordance with the provisions of this order.

(3) Any preference rating, other than a rating for MRO material, assigned pursuant to the provisions of this order is assigned in lieu of a preference rating under an order in the P–19 series or on Form CMPL–224 or GA–1456 Petroleum. Any reference in any order of the War Production Board to an order in the P–19 series or to Form CMPL–224 or GA–1456 Petroleum shall constitute a reference to a preference rating assigned pursuant to this order.

(4) Privileges granted by other orders and regulations of the War Production Board to persons on Schedule I of CMP Regulation 5 shall be considered as applicable to petroleum operators. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedule I or II of CMP Regulation 5 as an "approved user." An operator covered by P–98–b is in identically the same position: *Provided*, That certification clauses in and all other provisions of such other orders are complied with.

(5) The War Housing Construction Standards, contained in Schedule II of Order P–55–c, apply to any housing undertaken with the priorities assistance of this order. Rules for petroleum industry housing are covered by Direction 1 to P–98–b.

(m) *Further limitations on use of priorities assistance.* The Petroleum Administration for War may issue in its own name further restrictions or limitations on the use of priorities assistance by operators in the petroleum industry.

(n) *Expiration of order and ratings.* This order and Direction 1 and 2 thereof expire at midnight September 30, 1945.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The items listed on this schedule may be delivered to operators without regard to preference ratings. No operator shall apply or extend any rating to get any of these items, and no person selling any such item shall require a rating as a condition of sale.

Items on List A of Priorities Regulation 3.
Rock bits and core bits (rotary bits).
Tool joints.
Low and high temperature fractional distillation equipment for gas and gasoline analysis.

SCHEDULE B

The following materials are covered by this schedule:

(a) Those items currently identified on (and more completely described in) List B of Priorities Regulation 3, as follows, and any equivalent items replacing them on revisions of that List B, when included on a purchase order which bears allotment symbol MRO–P–3:

Civilian defense devices.
Filing cabinets, wooden.
Fire protective equipment.
Furniture for any use, except furniture specifically designed for schools.
Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment).
Medical, surgical and dental instruments.
Slide rules, precision engineering, having a list price of $7.50 or more.
Venetian blinds.

(b) Construction machinery and equipment (on Schedule B of Order L–192) costing in excess of $500, when to be acquired with a rating and symbol assigned in paragraph (c) of this order.

(c) Complete units of the following items of equipment needed for maintenance and repair purposes in production operations. Delivery of these items may be obtained without regard to this schedule if an operator uses the authorized preference rating AA–2X.

Crown blocks
Traveling blocks
Hooks or connectors
Elevators
Swivels
Grief stems (kellys)
Rotary tables
Drawworks
Tongs
Master gates
Blowout preventors
Drill collars
Slush pumps (power or steam driven)
Boilers
Weight indicators
Steam drilling engines

SCHEDULE C

Many of the materials on List B of Priorities Regulation 3 (other than those on Schedule B of this order) may be secured without a preference rating, and every attempt should be made to do so. If a rating is required for any of these materials it should be applied for on Form WPB–541, filed with the nearest WPB Field Office.

There are two general exceptions to this rule. In the first place, a rating for laboratory instruments and equipment and chemicals may be obtained under the procedure of paragraph (c) of this order. And secondly, the forms indicated below will be used for the items there listed.

Item	Preference rating form	Release or scheduling form	Filing instructions
(a) Steel shipping drums (as defined in L–197).	----------	WPB–3770	File 4 copies with PAW, Washington, Ref: P–98–b. File this form for relief from the provisions of L–197.
(b) Wooden shipping containers (as defined in L–232, P–140).	WPB–2408	----------	File WPB–2408 with PAW, Washington, Ref: P–98–b. File this form only if the preference ratings of P–140 are not sufficiently high to obtain delivery at the time the material is needed.

SCHEDULE D—CONSTRUCTION STANDARDS

NOTE: Schedule D amended July 14, 1945.

PART 1—GENERAL

A. *What these Construction Standards are and what they do.* Under these Construction Standards an operator is informed in Part 2 of the principles governing wartime construction and of the specific limitations to be followed in undertaking construction covered by PAW Form 30. In Part 3 certain products are listed which may be requested through the PAW Form 30 procedure and which otherwise would require the filing of supplemental application forms.

In preparing PAW Form 30 applications the Construction Standards should be consulted closely, since they apply to the use of material in operations covered by that form and authorized on Form GA-1456 Petroleum. The Construction Standards have not been included in the Instructions to PAW Form 30 because of the likelihood of their frequent revision, and because additional products may in the future be added to Part 3 of the Standards, thus eliminating the need for supplemental authorization forms for such products. These Construction Standards do *not* apply to petroleum industry operations which are *not* covered by PAW Form 30; nor do they apply to the use of used material and equipment except where specifically stated. For a separate set of Construction Standards applicable to housing covered by Direction 1 to P-98-b, see Order P-55-c and schedules to that order.

Operators should request any exceptions from the limitations contained in Part 2 of this Schedule which they consider essential. Each authorization granted on Form GA-1456 Petroleum will provide that the limitations of Part 2, except as modified by any exception granted in the particular authorization, shall apply to material for use in the proposed operation.

B. *Amendments to Construction Standards.* These Construction Standards may be amended from time to time by the issuance of an amended Schedule D to P-98-b. After any such amendment, use of material covered by an authorization on Form GA-1456 Petroleum may be made in accordance with that authorization, or in accordance with any revised Standards.

PART 2—LIMITATIONS ON CONSTRUCTION

(Unless required under the provisions of a WPB order or regulation, none of the limitations of Part 2 of this Schedule applies to use of material in the fabrication or assembly of Class A or Class B products by suppliers regularly engaged in the business of fabricating or assembling such products for sale.)

A. *Principles governing wartime construction.* The principles governing wartime construction are defined in a directive adopted by the WPB and the Army-Navy Munitions Board, May 20, 1942. These principles are interpreted as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat material and the utilization of transportation and power.

B. *Structural design.* All building construction using any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings", as amended.

C. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 40% tin in solder (i) for wiping water service pipe, connecting the piping of a structure with the outside water main, (ii) for assembly and repair of galvanized iron or zinc tanks.

b. Not over 35% tin in solder (i) for assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron", (ii) for wiping lead sheathed cable joints or lead pipe joints.

c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve, and then not over 35% tin content.

d. Not over 30% tin in solder for all other uses not covered above, and then only to the extent that substitution of either a less critical material or use of less tin content is impracticable.

2. Fuses, fuse plugs, and sprinkler head fuses.

D. *Zinc.* 1. The use of zinc and zinc products is prohibited:

a. For ornamental and decorative work.

b. In the form of sheet, strip and rod except:

(i) Where essential for processing.

(ii) Where the use of chemicals requires it.

E. *Lumber and lumber products.* Every effort should be made to employ in construction non-critical materials as substitutes for lumber less than 3" nominal thickness.

1. The use of lumber 2" nominal thickness less than 8" nominal width and all lumber less than 2" nominal thickness is prohibited for the following:

a. Sheathing of walls and roofs.

b. Facing of partitions and ceilings.

c. Siding.

d. Fencing.

e. Sub-floors.

f. Framing of exterior walls.

g. Framing of interior partitions supported on other than wood-framed floors.

2. The use of lumber is prohibited for the framing of first or ground floors without basement or cellar beneath.

3. The use of lumber other than used lumber or used plywood for forms for concrete construction is prohibited, except that where neither used lumber nor used plywood is available, new lumber or new plywood may be used, provided that:

a. Maximum reuse is made of forms.

b. New plywood for forms is limited to the highly water-resistant type. Plywood form liners prohibited.

4. The use of common grades of any kind of lumber is prohibited for mill work and trim.

5. The use of Hardboard is prohibited.

6. The use of plywood is prohibited, except as permitted in paragraph E-3-b.

7. The use of western pine is prohibited for all uses except such mill work as sash, doors, windows, and door and window frames, window and door screens, trim and moulding.

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

F. Mechanical ventilation. 1. The use of mechanical ventilation is prohibited except for:

a. Areas without natural ventilation.

b. Hospital spaces.

c. Spaces where industrial processes make its use mandatory.

d. Interior toilet rooms and kitchens where gravity ventilation will not suffice.

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

G. Lead. The use of lead and products is prohibited except where List I of Order M-38 permits it (applications for waivers should be filed on the WPB-617 application and if approved permission to deviate from M-38 will be given automatically).

PART 3—PRODUCTS AVAILABLE WITHOUT SUPPLEMENTAL APPLICATION

A. Explanation. To secure any item listed in this Part 3, the operator must list and justify the use of the item in Section C of PAW Form 30. An operator is not required to submit for any such item a separate application form (even if otherwise required by the provisions of a WPB order).

B. Items available without supplemental application:

Air conditioning and refrigerating equipment.
Blowers, electric hand portable.
Boilers, power.
Laundry equipment, dry cleaning equipment, tailors pressing equipment.
Compressors.
Conveyors and conveying systems.
Cranes and hoists, overhead.
Dust collecting equipment, industrial.
Electric power generators, turbines, transformers and switchgear.
Elevators, new.
Engines, diesel and gas.
Fire protective signal and alarm equipment.
Floor machines, finishing and maintenance.
Heat treating equipment.
Industrial instruments.
Machine tools.
Motion picture projection and sound reproducing equipment, 35 mm.
Office machines.
Oil-fired equipment and natural gas-fired equipment, whether new or used regardless of whether or not a rating is requested (specify on the application which items are to be oil fired and which natural gas fired).
Pneumatic tube delivery systems.
Power generating and distribution equipment.
Pumps.
Rug scrubbing machines (portable).
Sanding machines, floor.
Scales, balances and weights.
Turbo blowers and turbo exhausters.
Typewriters.
Vacuum cleaners, industrial.
Vault doors of iron or steel.
Water conditioning equipment.
Welding equipment.
Other industrial machinery and equipment which is to be used directly in processing.

SCHEDULE E—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO PAW DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia). Direct communications to Petroleum Administration for War, 1104 Chanin Building, 122 East 42nd New York 17, New York. Ref: P-98-b.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota). Direct communications to Petroleum Administration for War, 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois (or) 410 Beacon Building, 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: P-98-b.

District 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico). Direct communications to Petroleum Administration for War, 245 Mellie Esperson Building, Houston 1, Texas. Ref: P-98-b.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho). Direct communications to Petroleum Administration for War, 320 First National Bank Building, Denver 2, Colorado. Ref: P-98-b.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territory of Alaska). Direct communications to Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California. Ref: P-98-b.

[F. R. Doc. 45-16384; Filed, Aug. 31, 1945; 11:30 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 10, Revocation]

CMP Regulation 10 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the regulation or of actions taken by the War Production Board under the regulation.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16379; Filed, Aug. 31, 1945; 11:30 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, Direction 4, as Amended Aug. 31, 1945]

REDUCTION OF NEWSPRINT DELIVERIES FOR SEPTEMBER 1945

The following amended direction is issued pursuant to General Conservation Order M-241:

During the month of September, 1945, no dealer, publisher, printer or other person may accept delivery of newsprint from mills in excess of 95% of his August orders for September delivery. Fractional carloads shall be adjusted to the nearest number of whole carloads.

This direction does not apply to any person whose September deliveries of newsprint from mills would be reduced by the foregoing to less than one carload.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16382; Filed, Aug. 31, 1945; 11:30 a. m.]

PART 3287—GOVERNMENT SERVICES

[Limitation Order L-286, Direction 1 as Amended Aug. 31, 1945]

RESTRICTIONS ON MANUFACTURE AND DELIVERY OF AMMUNITION

The following amended direction is issued pursuant to Limitation Order L-286:

(a) *Restrictions on sale and delivery of ammunition.* (1) There is an increased shortage in ammunition for civilian uses because of increased military requirements. Accordingly, it is necessary to provide for the channeling of available supplies for the period ending December 31, 1945, to those areas where it is most needed.

(2) In addition to the restrictions of paragraph (b) (3) of L-286, during the period beginning May 1, 1945, and ending December 31, 1945, manufacturers and distributors may deliver ammunition only to distributors or dealers in the United States, its territories, or possessions.

(3) The War Production Board may at any time issue individual written directives to manufacturers or to distributors requiring delivery of ammunition for emergency use. These directives will be issued only upon a showing that the ammunition is needed to meet the requirements of farmers and ranchers who live in an area where there is an unseasonal or exceptional need for such ammunition for the protection of crops and livestock. Application for such directives shall be made by the manufacturer, distributor or dealer in writing on his own letterhead and shall state the facts showing that the ammunition applied for is needed to meet the requirements of farmers and ranchers who live in an area where there is an unseasonal or exceptional need for such ammunition for the protection of crops and livestock. These applications shall be filed with the Government Bureau, War Production Board, Washington 25, D. C., Ref. L-286. In emergency, applications may be made by telephone or telegraph.

(b) [Deleted Aug. 31, 1945]

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16380; Filed, Aug. 31, 1945; 11:30 a. m.]

PART 3287—GOVERNMENT SERVICES

[Limitation Order L-286, Direction 2]

AMMUNITION

The following direction is issued pursuant to Limitation Order L-286:

(a) *Purpose.* In order to protect crops and livestock and to increase the food supply, this direction permits all persons, including farmers and ranchers, to get special and additional quotas of ammunition to shoot predators and to hunt game.

(b) *Special quota for hunting season.* (1) From now until this direction is terminated by a published revocation, a manufacturer, supplier or dealer may sell and deliver to any person for the protection of crops and livestock, or for hunting, or both, upon receipt of a certificate as provided in paragraph (c), and any person may buy and accept delivery for those purposes, not more than:

150 rounds of .22 caliber rim fire cartridges.
40 rounds of center fire rifle ammunition (or 50 rounds of the kind ordinarily packaged fifty to the box, such as .25-20, .32-20, .22 Hornet, .38-40 and .44-40).
100 rounds of shotgun shells of any gauge.

(2) Farmers and ranchers are entitled to the above special quota in addition to their regular quarterly quotas provided by Order L-286.

(3) A person does not have to charge against this special quota any ammunition that he gets or has received under specific authorization by the War Production Board on Form WPB-2682.

(c) *Certificate.* Before buying or accepting delivery of any ammunition under this direction, a person must sign and deliver to the seller a certificate in substantially the form set out below. (The standard certificate in Priorities Regulation 7 may be used instead, provided the address of the purchaser is included.) The seller shall be entitled to rely on it unless he knows or has reason to know it is false. The certificate records may be handled in either or both of these ways: the purchaser may sign and deliver to the seller a separate certificate with his purchase, or the seller may simply write out the certificate one time at the top of a paper and have the purchasers sign one after the other below the certificate. In either case the purchaser must sign and give his address.

CERTIFICATE

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order and to receive the item(s) ordered for the purpose for which ordered.

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Purchaser Address

Issued this 31st day of August 1945.

WAR PRODUCTION, BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16381; Filed, Aug. 31, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended July 12, 1945, Amdt. 3]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

Section 3290.116 *Supplementary Order M-317A,* as amended July 12, 1945, is further amended in the following respects:

1. In Group CHEM-1, in Column II on a separate line, after "(12) Osnaburg" add an item "(6) Other combed fabrics".

2. Make the following insertions in Column II of CHEM-3: Insert on a separate line after "(1c) Lawn", the words: "(12) Osnaburg". Insert on separate lines after "(17b) Print cloth, etc." the following:

(17a) Print cloth, 80 sley and higher
(17c) Print cloth, less than 64 sley
(13a) Sheeting, coarse, Class A.

Insert on a separate line after "(3a) Twill, combed, part combed, etc." the item "(1e) Typewriter ribbon cloth".

In Column III add the following as a second paragraph: "Maintenance, repair and operating supplies of producers of chemicals and chemical products".

3. Make the following additions in Column II in CHEM-4:

Insert on separate lines after "(17b) Print cloth, etc." the following:

(17c) Print cloth, less than 64 sley
(13a) Sheeting, coarse, Class A
(13b) Sheeting, coarse, Class B
(14a) Sheeting, medium, Class C, except Mead's cloth
(16c) Twill, carded except filter twill as defined in M-91.

Change Column III to read as follows: "Blasting caps fuses and fusees".

4. In Group CDGS-3, in Column I delete "(25 yards)" and insert "(500 yards)".

5. In Group CDGS-4, after the last item in Column II add "(27) Velveteen and cord".

6. In Group CDGS-7, in Column II on a separate line before "(13b) Sheeting, etc." add "(16a) Drill".

7. Insert a new Group after CDGS-9 as follows:

Group	Column I	Column II	Column III	Column IV
CDGS-10	Processor (500 yards)	(17b) Print cloth, 64 and higher but less than 80 sley.	Stamp pads	AA-3.

8. In Group CORK–1, in Column II on a separate line after "(17b) Print cloth, etc." add "(17c) Print Cloth, less than 64 sley".

In Column III, before "Magnesia, etc." on separate lines add: "Asbestos cement sheets", "Gasketing material". After "Magnesia, etc." on a separate line, add "Linoleum".

9. In Group GIEQ–1, in Column II on separate lines, before "(16a) Drill", add the following:

(23) Canton flannel
(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36).

After "(16a) Drill" in Column II add the following on separate lines:

(17b) Print cloth, 64 and higher but less than 80 sley
(17c) Print cloth, less than 64 sley.

In Column III add the following as a second paragraph: "For oil filters and oil filter elements."

10. In Group NHA–1, in Column II on a separate line before "(30b) Toweling, etc." add "(28) Ticking".

11. In Group PAPR–2, in Column II on a separate line before "(18a) Cheesecloth, etc." add "(32a) Bag and baling fabric (limited to victory bagging)".

12. In Group PRIN–1, in Column II on a separate line before "(16a) Drill" add "(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36)".

In Column III add a separate line: "Back lining for books".

13. In Group SATE–2, delete the item "(26) Corduroy". After item "(4a) Broadcloth, combed" insert "(23) Canton flannel"; after item "(21a) Flannelette, outing", insert on a separate line "(25) Moleskin and suede".

14. In Group SATE–3, in Column II on a separate line, before "(21a) Flannelette, outing", add "(23) Canton flannel".

15. Insert new Groups after Group SATE–5 as follows:

Group	Column I	Column II	Column III	Column IV
SERV-1	Processor (200 yards)	(16a) Drill (23) Flannel, canton. (21a) Flannelette, outing. (13a) Sheeting, coarse Class A.	Manufacture of commercial laundry and dry cleaning equipment.	AA-3
SERV-2	Processor (200 yards)	(23) Canton flannel (13a) Sheeting, coarse, Class A.	Manufacture of ink pads for duplicating machines.	AA-3

16. In Group TEXT–1, in Column II on a separate line, before "(25) Moleskin and suede" add "(1c) Lawn".

17. In Group TEXT–2, in Column II on a separate line, after "(12) Osnaburg" add "(17b) Print cloth, 64 but less than 80 sley".

18. In Group TOOL–1, in Column II on a separate line, before "(23) Flannel, canton", add "(16a) Drill".

19. In Group TOOL–2, in Column II on a separate line, after "(16d) Jean" add "(17b) Print cloth, 64 sley but less than 80 sley".

In Column III, add as a separate line: "Deck tread safety walk".

20. In Group WFA–1, in Column II on a separate line, after "(14a) Sheeting, medium, etc." add "(14c) Sheeting, soft filled".

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–16383; Filed, Aug. 31, 1945; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 117]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order 5 is amended in the following respect:

Section 15.7 is revoked.

This amendment shall become effective September 2, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–16306; Filed, Aug. 31, 1945; 10:34 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 14,[1] Amdt. 5]

WAR RATION BOOK FOUR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order 14 is amended in the following respects:

1. Section 8 (b) is amended to read as follows:

(b) Except as provided in paragraph (c) of this section, before issuing a War Ration Book Four, the Board shall remove all expired stamps and all valid stamps except the last stamp (or series of stamps) which became valid.

2. Section 8 (c) is added to read as follows:

(c) If prior approval has been granted by the Deputy Administrator for Rationing, the Board, before issuing a War Ration Book Four to civilian American repatriates from enemy prison camps, shall remove all expired stamps and all valid stamps, except the last stamp which became valid under Second Revised Ration Order 3 and except the last three series of stamps which became valid under Revised Ration Order 13 and Revised Ration Order 16.

This amendment shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–16307; Filed, Aug. 31, 1945; 10:34 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 128]

ADJUSTMENTS FOR CERTAIN FOREST PRODUCTS

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.

Sec.
1. Applicability.
2. Who may apply.
3. When adjustment may be granted.
4. Amount of adjustment.
5. Procedure.
6. Applications based on pending wage increases.
7. Maximum prices for deliveries made pending disposition of applications.
8. Definitions.

AUTHORITY: § 1305.156 issued under 56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Applicability.* The commodities to which this supplementary order is applicable are those covered by the following Maximum Price Regulations:

Maximum Price Regulation 196—Turned or Shaped Wood Products.
Revised Maximum Price Regulation 290—Sitka Spruce Lumber.
Maximum Price Regulation 412—Tidewater Red Cypress Lumber.
Maximum Price Regulation 568—Hardwood Plywood.

SEC. 2. *Who may apply.* Any producer subject to any of the regulations named in section 1 may apply for adjustment of his maximum prices for f. o. b. mill sales under such regulations if he can show that:

(a) Increased costs result in hardship which will impede his production of a product subject to a regulation named in section 1, and

(b) Either:

(1) The major part of his total dollar production in the most recently completed fiscal year was the product on which he now suffers hardship, or

(2) All of the product on which he now suffers hardship was produced in a plant where the product was at least 85 percent of the output during the most recently completed fiscal year.

[1] 8 F.R. 10002.

[1] 8 F.R. 14211; 9 F.R. 6504, 11761.

SEC. 3. *When adjustment may be granted.* Adjustment may be granted upon demonstration of substantial financial hardship threatening the maintenance of production. In judging whether the maximum prices impede or threaten the applicant's production of the product, there will be taken into consideration such pertinent factors as (a) the nature of the applicant's business; (b) his current costs of manufacturing the product; (c) the overall earnings of his business; (d) whether the applicant customarily sold the product below cost; and (e) whether greater efficiency in production or merchandising can reasonably be expected so that an adjustment of prices would not be necessary.

SEC. 4. *Amount of adjustment.* In general, the amount of relief granted will fall into one of three classes, depending on a comparison of current overall dollar profits (before income and excess-profits taxes) with those in a normal base period. The adjustment shall not exceed that shown below, but it may be less in consideration of the factors set forth in section 3.

Current over-all profit position	*Adjustment to permit recovery of—*
Over 115 percent of adjusted normal base period dollar profits.	Total costs, less selling and general and administrative expenses.
Between 100 and 115 percent of adjusted normal base period dollar profits.	Total costs.
Below 100 percent of adjusted normal base period profits.	Total costs plus a reasonable profit.

In evaluating costs, whenever current output is substantially below the normal volume, overhead items shall be adjusted to levels consistent with a normal rate of production. Expenses not related to the supply and sale of the items for which adjustment of maximum prices is sought will be excluded.

SEC. 5. *Procedure.* The application shall be filed with the Lumber Branch, Office of Price Administration, Washington 25, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration. It must contain detailed information with respect to the following:

(a) Profit and loss statements and balance sheets covering the company's entire operation for the years 1936–1939, the most recently completed calendar or fiscal year, and interim periods subsequent to the completion of such year.

(b) Operating statement for the product, for the last calendar or fiscal year prior to the filing of the application and any interim periods subsequent to the end of such year.

The operating statement should show a complete breakdown of all manufacturing costs, such as direct material, direct labor, other factory costs and commercial overhead. The units sold, produced, transferred and in inventories should be clearly shown as well as the appropriate unit of measurement on raw materials where applicable.

If any of the required information has been previously submitted to the Office of Price Administration or to another Government Agency and is available to the Office of Price Administration, the applicant may so indicate, and he will not be required to resubmit it.

SEC. 6. *Applications based on pending wage increases.* Supplementary Order 28 sets forth additional rules which must be followed when the application is based on a pending wage or salary increase requiring approval of the National War Labor Board.

SEC. 7. *Maximum prices for deliveries made pending disposition of application.* An application is considered as properly completed when all the necessary information has been submitted in accordance with the instructions of the Office of Price Administration. As soon as the applicant has been notified in writing by the Lumber Branch that his application has been properly completed, quotations may be made at the price requested in the application. Notification that an application has been properly completed does not constitute an approval of the requested price.

The applicant may not receive any payments in excess of the maximum prices established in the applicable regulation until the application has been finally disposed of by order. Any increase in maximum prices granted by such order shall be effective from the date the application was properly completed, as to all orders or contracts made on or after that date concerning which the seller furnished a written statement to the buyer setting forth:

(a) The established maximum price for each item;

(b) The fact that an appropriate application for adjustment of that maximum price has been filed with the Office of Price Administration;

(c) The quoted price which shall not be higher than the price requested in the application for adjustment; and

(d) The fact that the quoted price is subject to the approval of the Office of Price Administration.

Except as set forth above, an order increasing the seller's maximum price is effective on and after the effective date specified therein.

SEC. 8. *Definitions.* As used in this section, the terms:

(a) "Product" means the entire species, or the entire line of items covered by one maximum price regulation.

(b) "Normal base period" means the period 1936 through 1939. If seller was not in business prior to January 1, 1939, the fact should be stated in the application. In such cases, a reasonable return on present net worth will be considered the adjusted base period dollar profits.

(c) "Over-all profits" means the net profit resulting from the operations of all divisions of a company including all recurring items of non-operating income, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess-profits taxes. If the company has majority-owned subsidiaries, or is a majority-owned subsidiary, the term "over-all profits" means the consolidated net profit of the parent corporation and all majority-owned subsidiaries.

(d) "Adjusted base period dollar profits" means base period over-all dollar profits adjusted for changes in capital investment since the base period.

This supplementary order shall become effective September 5, 1945.

NOTE: All reporting and record-keeping requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16359; Filed, Aug. 31, 1945; 10:33 a. m.]

PART 1314—RAW MATERIALS FOR SHOES AND OTHER LEATHER PRODUCTS

[MPR 145,[1] Amdt. 11]

PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1314.165 (a) of Maximum Price Regulation 145 is amended in the following respects:

1. The following heading and items are added immediately under the heading "Soulas (Argentine)":

Heavy Sheep:	
SS	$11.00
X1	12.00
X2	11.25
1S	10.00
2S	9.50

2. The following item is added immediately after the subheading "Large Lambs" under the heading "Soulas (Argentine)":

Super 1 LB	$9.50

3. The following heading and items are added after the items appearing under the heading "Swift La Plata":

Swift La Plata (Local Grades)	
Sheep:	
LHS	$8.75
LLS	7.25
LL	5.75
LDL	5.25
LSL	4.25
LDSL	3.75

4. The following items are added after the items appearing under the heading "Swift Montevido (Dry)":

HD Sheep	$4.50
HD Lambs	3.25
HD Spring Lambs	2.50

[1] 7 F.R. 3746, 3889, 5771, 5835, 8948, 11074; 8 F.R. 5724; 9 F.R. 1595, 7936; 10 F.R. 158, 2515.

This amendment shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

F. R. Doc. 45-16312; Filed, Aug. 31, 1945; 10:33 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 32]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.14 (u) is revoked.

2. Special section 3 is added to Article II, after Special section 2, to read as follows:

Special section 3. Notwithstanding other provisions of this Article II, maximum prices for the following products shall be reduced in the following areas and the amounts stated except those prices set forth in section 2.28 (b) and 2.36 (b), in which cases the prices set forth in such sections shall be reduced by .52¢ per gallon.

State or portion thereof	Cents per gallon to be reduced	
	Kerosene, No. 1 fuel oil or range oil	Any other fuel or fuel oil
Connecticut	1.5	1.5
Delaware	1.5	1.5
Florida (east of the Apalachicola River)	1.0	1.0
Georgia	1.0	1.0
Maine	1.5	1.5
Maryland	1.5	1.5
Massachusetts	1.5	1.5
Except Boston and Fall River and all points supplied from these ports	1.5	1.4
New Hampshire	1.5	1.5
New Jersey	1.5	1.5
New York	1.5	1.5
Excepting Schedule D area	1.0	1.0
North Carolina	1.2	1.2
Pennsylvania	1.5	1.5
Excepting Schedule D area	1.0	1.0
Rhode Island	1.5	1.5
Except Providence and Tiverton and all points supplied from these ports	1.5	1.4
South Carolina	1.2	1.2
Tennessee (corporate limits of Bristol only)	1.5	1.5
Vermont	1.5	1.5
Virginia	1.5	1.5
West Virginia	1.5	1.5
Excepting Schedule D area	1.0	1.0
District of Columbia	1.5	1.5

3. Section 3.4 (b) is amended as follows:

a. By deleting the table headed "Price Area" and the prices set forth opposite each area and inserting in lieu thereof the following table:

Price area: [1]	*Per 42-gallon barrel* [2]
A	$1.02
B	.97
C	.97
D	.97
E	1.14
F	1.51
G	1.56
H [3]	1.74
I	1.77
J	1.95
K	1.86
K-1	2.16
K-2	1.99
L	1.75
M	1.55
M-1	1.60
M-2	1.59½
M-3	1.57
M-4	1.51½
N	1.47
N-1	1.45
N-2	1.44½
N-3	1.43
N-4	1.42
O	1.32
P	1.27
Q	1.22
R	1.15
S	.92
T	.99
U	.96
V	1.36
W	1.07

b. Footnote 4 is revoked.

c. The following is inserted between Price Area "K-1" and "L."

K-2	$1.99

d. Price Area "K" shall be amended to read as follows:

K comprises that part of Schedule D area which is within West Virginia.

e. The following is inserted between the description of Price Area "K-1" and "L":

K-2 comprises that part of Schedule D area which is within Pennsylvania or New York.

f. Price Area "M" description shall be amended to read as follows:

M comprises New York Harbor, Philadelphia Harbor, and Baltimore, Maryland.

g. The following is inserted between the description of Price Area "M" and Price Area "N":

M-1 comprises Portland, Maine, and Portsmouth, New Hampshire.
M-2 comprises Boston, Massachusetts.
M-3 comprises Fall River, Massachusetts, Tiverton, Providence, Rhode Island, and New Haven, Connecticut.
M-4 comprises Norfolk, Virginia.

h. Price Area "N" description shall be amended to read as follows:

N comprises Wilmington, North Carolina.

i. The following is inserted between the description of Price Area "N" and Price Area "O":

N-1 comprises Charleston, South Carolina.
N-2 comprises Savannah, Georgia.
N-3 comprises Jacksonville, Florida.
N-4 comprises Miami, Florida.

4. Section 3.4 (d) is amended to read as follows:

(d) *Navy grade special fuel oil.*

Price area as described in (a):	*Per 42-gallon barrel*
D	$1.05
M	1.63
M-2	1.67½

5. Section 3.5 is amended by inserting footnote 2 to Price Area AA to read as follows:

[2] When a particular delivery or shipping point is supplied from one of the following ports there may be added to the maximum price at such shipping or delivery point the amount set forth opposite the name of the supplying port, in addition to the 12 cents increase determined in Price Area AA:

Port:	*Amount of increase Per barrel (cents)*
Albany, New York	8
New York Harbor	8
Philadelphia Harbor	8
Baltimore, Maryland	8
Portland, Maine	13
Portsmouth, New Hampshire	13
Boston, Massachusetts	12½
Fall River, Massachusetts	10
Tiverton, Rhode Island	10
Providence, Rhode Island	10
Norfolk	4½
Wilmington, North Carolina	5
Charleston, South Carolina	3
Savannah, Georgia	2½
Jacksonville, Florida	1

6. Footnote 1 to section 3.5 is amended to read as follows:

[1] If a seller's maximum price for heavy fuel oil has been established prior to September 1, 1944 under Article VIII of this regulation, such seller's maximum price for No. 6 commercial standard specifications fuel oil shall be the price approved under such Article for such fuel oil of 13-159 API gravity less 30¢ per barrel. When such seller is supplied from one of the ports listed in footnote 2 he may, after making the foregoing computation, add the amount set forth opposite the applicable supplying port listed in footnote 2.

7. Special section 5 is added to Article IV, immediately following special section 4, to read as follows:

Special section 5. (a) In any case in this Article IV where the brackets "70-74 octane ASTM" appears, it shall be changed to read "70-71 octane ASTM."

(b) Wherever the bracket "70-71" appears, list immediately below a new bracket designated as "72-74 octane ASTM" and the price opposite such "72-74 octane ASTM" bracket shall be the price set forth for the bracket "70-71 octane ASTM," plus .125¢ per gallon except that the maximum price established under section 4.14 (a) (1) for 72-74 octane ASTM for shipment to destinations other than Petroleum Administration for War District 1 shall be increased .1¢ per gallon.

(c) Wherever the term "75 octane ASTM, and above," appears in this Article IV, it is changed to read "78 octane ASTM, and above."

(d) Wherever maximum prices are established in this article for second structure gasoline, such prices are increased by .125¢ per gallon.

8. Footnotes 5, 6, and 7 of section 4.4 (a) (1) (i) are revoked.

9. Footnotes 5, 6, and 7 of section 4.4 (a) (2) (i) are revoked.

10. Footnotes 3, 4, and 5 of section 4.4 (b) (1) (i) are revoked.

11. Footnotes 3, 4, and 5 of section 4.4 (c) (1) (i) are revoked.

12. Section 4.36 (a) is amended to read as follows:

(a) *Pittsburgh.* In Pittsburgh, Pennsylvania, refiners' maximum price for 78 octane ASTM and above, automotive gasoline on sales in bulk lots to other refiners f. o. b. the refiner's shipping point shall be 8.7¢ per gallon.

13. Footnote 3 to Article V is revoked.

14. Section 5.1 (e) (1) (ii) (a) is amended by deleting "75" in the phrase "for 75 octane ASTM" and by inserting in lieu thereof "78."

15. Section 5.1 (j) is added to read as follows:

(j) *Maximum Prices for 75–76 Octane ASTM gasoline under certain conditions.* At refineries and other bulk shipping points where a seller's maximum price for automotive gasolines was established under the description of an octane rating rather than under trade terms such as, "regular grade," "housebrands," or "second structure," his maximum price for 75–76 ASTM octane automotive gasoline shall be the same as his maximum price for 72–74 octane ASTM gasoline. Principally, this will be applicable to sellers whose prices for gasolines are established under Article II and in some cases, under section 5.2 and 8.3.

16. Section 6.2 (a) is amended to read as follows:

(a) *On tank wagon deliveries in rationed areas prior to August 15, 1945.* In any area where fuel oil rationing was, prior to August 15, 1945, required by the United States Government, or any Agency thereof, the sum of .3¢ per gallon may be added through October 31, 1945 to a maximum price determined under Article V for tank wagon deliveries of any fuel oil or heating oil including, but not limited to, kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, Diesel oil and gas oil.

(b) On container deliveries in areas where fuel oil rationing was required prior to August 15, 1945 by the United States Government, or any Agency thereof, the sum of 0.3¢ per gallon when delivery is made in single lots of 260 gallons, or less, may be added through October 31, 1945 to a maximum price determined under Article V for container deliveries of any fuel oil or heating oil including, but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, Diesel oil and gas oil.

17. Section 6.3 (a) (1) (i) is amended to read as follows:

(i) *Increases to maximum prices determined under Article V.* Within the States or portions thereof listed below the amount designated below may be added to a maximum price determined under Article V for any distillate or distillate type fuel or fuel oil having a viscosity below 85 Seconds Saybolt Universal (100° F.) including but not limited to the following: kerosene, No. 1 fuel oil and range oil, tractor fuel, gas house oils, distillate Diesel fuels, Nos. 2, 3 and 4 fuel oils, standard light gas oils, and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or for other distillate fuel oil use.

State or portion thereto	Cents per gallon to be added	
	Kerosene, No. 1 fuel or range oil	Any other fuel or fuel oil described above
Connecticut	0.3	0
Delaware	.3	0
Florida (east of the Apalachicola River)	.3	0
Georgia	.3	0
Maine	.3	0
Maryland	.3	0
Massachusetts	.3	0
Except Boston and Fall River and all points supplied from these ports	.3	.1
New Hampshire	.3	0
New Jersey	.3	0
New York	.3	0
Excepting Schedule D area	.3	0
North Carolina	.3	0
Pennsylvania	.3	0
Excepting Schedule D area	.3	0
Rhode Island		
Except Providence and Tiverton and all points supplied from these ports	.3	.1
South Carolina	.3	0
Tennessee (corporate limits of Bristol only	.3	0
Vermont	.3	0
Virginia	.3	0
West Virginia	.3	0
Excepting Schedule D area	.3	0
District of Columbia	.3	0

18. Section 6.3 (a) (1) (ii) is amended to read as follows:

(ii) Within the areas listed below, maximum prices established pursuant to § 1340.159 (b) (7) of Revised Price Schedule No. 88 or Article VIII of Maximum Price Regulation No. 88 shall be reduced as follows:

State or portion thereof	Cents per gallon to be deducted from the originally established price			
	If established prior to Sept. 1, 1944		If established subsequent to Aug. 31, 1944 and prior to Sept. 1, 1945	
	Kerosene, No. 1 fuel or range oil	Any other fuel or fuel oil	Kerosene, No. 1 fuel or range oil	Any other fuel or fuel oil
Connecticut	1.5	1.5	1.5	1.5
Delaware	1.5	1.5	1.5	1.5
Florida (east of the Apalachicola River)	1.5	1.5	1.0	1.0
Georgia	1.5	1.5	1.0	1.0
Maine	1.5	1.5	1.5	1.5
Maryland	1.5	1.5	1.5	1.5
Massachusetts				
Except Boston and Fall River and all points supplied from these ports	1.5	1.4	1.5	1.4
New Hampshire	1.5	1.5	1.5	1.5
New Jersey	1.5	1.5	1.5	1.5
New York	1.5	1.5	1.5	1.5
Excepting Schedule D area	1.5	1.5	1.0	1.0
North Carolina	1.5	1.5	1.2	1.2
Pennsylvania	1.5	1.5	1.5	1.5
Excepting Schedule D area	1.5	1.5	1.0	1.0
Rhode Island				
Except Providence and Tiverton and all points supplied from these ports	1.5	1.4	1.5	1.4
South Carolina	1.5	1.5	1.2	1.2
Tennessee (corporate limits of Bristol only)	1.5	1.5	1.5	1.5
Vermont	1.5	1.5	1.5	1.5
Virginia	1.5	1.5	1.5	1.5
West Virginia	1.5	1.5	1.5	1.5
Excepting Schedule D area	1.5	1.5	1.0	1.0
District of Columbia	1.5	1.5	1.5	1.5

19. Section 6.3 (a) (2) is revoked.

20. Section 6.4 (a) (1) (i) is amended to read as follows:

(i) *Increases to maximum prices determined under Article V.* See section 3.5.

21. The heading to section 6.4 is amended to read as follows: "On Sales of Residual Fuel Oils."

22. Section 6.4 (a) is amended to read as follows:

(a) *At certain shipping and delivery points in the Eastern Seabord Area*—(1) *Increases to maximum prices determined under Article V*—(i) *No. 6 fuel oil.* See section 3.5.

(ii) *No. 5 fuel oil.* When a particular delivery or shipping point is supplied from one of the following ports there may be added to the maximum price at such shipping or delivery point the amount set forth opposite the name of the supplying port:

Port:	*Amount of increase* *Per barrel (cents)*
Albany, New York	8
New York Harbor	8
Philadelphia Harbor	8
Baltimore, Maryland	8
Portland, Maine	13
Portsmouth, New Hampshire	13
Boston, Massachusetts	12½
Fall River, Massachusetts	10
Tiverton, Rhode Island	10
Providence, Rhode Island	10
Norfolk	4½
Wilmington, North Carolina	5
Charleston, South Carolina	3
Savannah, Georgia	2½
Jacksonville, Florida	1

(2) *Reductions to certain maximum prices established under Article VIII on or after September 1, 1944.* (i) A seller whose maximum prices for a No. 5 and a No. 6 residual fuel oil was established pursuant to section 8.3 on or after September 1, 1944 but prior to September 1, 1945 shall be reduced by 30 cents per barrel except in the Schedule D area in which case the reduction shall be 15 cents per barrel. After making the foregoing computation, add the amount set forth opposite the applicable supplying port listed in (ii) above *Provided,* The shipping or delivery point for which the maximum price was established is supplied from such port.

23. Section 6.4 (a) (2) is revoked.

24. Section 6.5 (a) (1) (i) is revoked.

25. Section 6.5 (a) (1) (ii) is amended to read as follows:

(ii) *Reductions to certain maximum prices established under Article VIII for automotive and certain aviation gasolines.* Within the areas listed below maximum prices established pursuant to § 1340.159 (b) (7) of Revised Price Schedule No. 88, or Article VIII of Maximum Price Regulation No. 88 for automotive or aviation gasoline below 87 octane ASTM shall be reduced as follows:

State or portion thereof	Reductions from the ceiling originally established in cents per gallon	
	If established prior to Sept. 1, 1944	If established subsequent to Aug. 31, 1944 and prior to Sept. 1, 1945
Connecticut	1.2	1.2
Delaware	1.2	1.2
Florida (east of the Apalachicola River)	.9	.6
Georgia	.9	.6
Maine	1.2	1.2
Maryland	1.2	1.2
Massachusetts	1.2	1.2
New Hampshire	1.2	1.2
New Jersey	1.2	1.2
New York	1.2	1.2
Excepting Schedule "D" area	1.2	.6
North Carolina	1.2	.8
Pennsylvania	1.2	1.2
Excepting Schedule "D" area	1.2	.6
Rhode Island	1.2	1.2
South Carolina	1.2	.8
Tennessee (corporate limits of Bristol only)	1.2	1.2
Vermont	1.2	1.2
Virginia	1.2	1.2
West Virginia	1.2	1.2
Excepting Schedule "D" area	1.2	.6
District of Columbia	1.2	1.2

26. Section 6.5 (a) (1) (iii) is revoked and a new paragraph (iii) is added to read as follows:

(iii) *Increases to maximum prices determined under Article VIII for automotive gasoline.* The sum of ⅛¢ per gallon shall be added to maximum prices except tank wagon maximum prices, determined under Article VIII on or after August 15, 1944 for 70–74 octane ASTM gasoline, regular, house brand, second structure, or any automotive gasoline sold under any designation which is covered by the foregoing specifications and/or descriptions.

27. Section 7.4 (a) is amended by striking the phrase "plus, in the case of tank wagon deliveries in rationed areas of rationed products if such products are covered by section 6.2" and inserting in lieu thereof "in the case of tank wagon deliveries of kerosene and of fuel oils, the sum of .3¢ per gallon may be added through October 31, 1945 if such products are covered by section 6.2."

28. Section 7.5 (a) is amended by striking the phrase "in the case of tank wagon deliveries of kerosene and fuel oils in rationed areas the sum of .3¢ per gallon" at the end of the paragraph and inserting in lieu thereof the statement "in the case of tank wagon deliveries of kerosene and fuel oil in Washington and Oregon, the sum of .3¢ per gallon through October 31, 1945."

This amendment shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16311; Filed, Aug. 31, 1945; 10:31 a. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 12]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS AND CERTAIN OTHER RETAIL SALES OF LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 7 (j) is amended to read as follows:

(j) *"Grade."* In establishing a maximum price for automotive gasoline, grade means the three trade classifications of gasoline, namely, premium, regular or third grade. The specifications for premium, regular and third grade gasoline shall be be the specifications generally recognized in a particular locality by the petroleum industry for retail sales of these grades.

2. Section 10 (b) (1) (ii) is amended to read as follows:

(ii) *Balance of rationed area.* In any area where fuel rationing was required prior to August 15, 1945 by the United States Government or any agency thereof other than the area included in subdivision (i) of this section 10 (b) (1) the maximum prices for kerosene, range oil, prime white distillate, No. 1 or Pacific Specification 100 fuel oil, No. 1 fuel oil, No. 2 fuel oil and distillate fuel determined under section 9 (a) (1) may be increased 0.3 of a cent per gallon. The total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16316; Filed, Aug. 31, 1945; 10:35 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 224, Amdt. 11]

CEMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1346.104 (a) (1) (*b*) is amended to read as follows:

(*b*) The maximum price determined pursuant to the above pricing method may be increased by a manufacturer meeting the conditions set forth below by an amount not in excess of $0.20 per barrel when the following conditions are met:

The sale is made f. o. b. a mill located within the geographical area defined herein; or

The sale is made on a delivered basis and the delivered destination point is within the geographical area defined herein.

The geographical area referred to herein is defined to be the States of Ohio, West Virginia and Michigan; that portion of Pennsylvania west of the Counties of Potter, Clinton, Center, Huntington, and Franklin; that portion of Virginia west of, and including, the Counties of Tazewell, Smyth and Washington; and that portion of Kentucky east of, and including, the Counties of Boone, Grant, Harrison, Bourbon, Clark, Estill, Jackson, Clay, Knox, and Bell.

Any manufacturer who has increased his maximum selling prices of cement pursuant to this subdivision shall furnish to each buyer purchasing cement for resale in the same form on or before the date the manufacturer makes delivery at the adjusted price, a written statement to read as follows:

Effective September 5, 1945, the Office of Price Administration has granted an additional adjustment to manufacturers of cement of 10 cents per barrel, making a total increase of 20 cents per barrel over the manufacturers' March 1942 prices. Any person who resells the cement in the same form is permitted to add the actual dollars-and-cents amount of this additional price increase to his existing maximum prices for cement actually purchased at the increased price for resale in same form.

This amendment shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16313; Filed, Aug. 31, 1945; 10:32 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 272, Amdt. 5]

CAST-IRON BOILERS AND CAST-IRON RADIATION

Correction

In Federal Register Document 45-15216, appearing at page 10182 of the issue for Tuesday, August 21, 1945, the second item in Column I of the table under subparagraph (4) should read "48½."

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 25 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 7 to Food Products Regulation No. 1 is amended in the following respect.

Section 1 (b) (3) (iv) is added to read as follows:

(iv) Packed red sour pitted cherries.

[1] 10 F.R. 1750, 2188, 6453, 7928, 8291, 8629.

This amendment shall become effective September 6, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 24, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16302; Filed, Aug. 31, 1945; 10:33 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585, Amdt. 5]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 585 is amended in the following respects:

1. The first paragraph of section 3.12 (b) is amended to read as follows:

(b) Every manufacturer shall, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve in his place of business and shall supply to all of his current wholesalers and retailers and make available to others upon request a copy of his current price list and every manufacturer shall supply each of his private brand dealers with a notice of his current price list as to him, all as computed hereunder; except that any Class B manufacturer, who did not regularly supply his wholesalers and retailers with copies of his current price list during the 1942 base months, need not now do so, if he posts such current price list conspicuously in his place or places of business, unless expressly requested to do so.

2. The first sentence in the Sixth Method in section 4.1 (d) (2) is amended to read as follows:

Sixth Method. If (1) you are determining a margin for a feeder's private brand or (2) you cannot determine a margin by the Second, Third, Fourth or Fifth Method above, or (3) you want to determine a margin for a mixed feed you did not sell during the 1942 base months, determine such margin in accordance with either of the following methods:

3. The word "for" appearing between the words "ton" and "such" in the third sentence in the First Method in section 4.1 (d) (3) is changed to "from".

4. The first sentence in the Fourth Method in section 4.1 (d) (3) is amended to read as follows:

Fourth Method. If (1) you are determining a margin for a private brand feed or (2) you cannot determine a margin by the First or Third Method above, or (3) you want to determine a margin for a mixed feed which you did not sell to retailers during the 1942 base months, such margin shall be determined in accordance with the following methods:

5. Section 4.1 (f) (1) is amended to read as follows:

(1) (i) Except as provided in subdivision (ii) below, within ninety days of the effective date of this regulation, each Class A manufacturer shall file margins for sales to retailers, each Class B manufacturer shall file margins for sales to feeders, and each Class C manufacturer shall file differentials, all computed as provided above, for each mixed feed he is then manufacturing. He may at any time file such margins or differentials for other mixed feeds. After ninety days from the effective date of this regulation he shall not sell a mixed feed (except the mixed feeds specified in subdivision (ii) below) until he has filed such a margin or differential for it. A Class B manufacturer may at any time also file his margins for sales to retailer, but such filing is not required.

(ii) A Class B manufacturer may, but he is not required, to file his margins for any mixed feeds determined under the First Method in section 4.1 (d) (2).

6. A new sentence is added at the end of the first paragraph of section 4.2 (b) to read as follows: "Where any method below requires a determination of the maximum prices you could have lawfully paid to your supplier for any of your receipts of a base ingredient, such maximum price shall be adjusted, in the case of any receipt, to reflect any reduction or increase in such maximum price made effective by the Office of Price Administration subsequent to such receipt and prior to the effective date of the regulation."

This amendment shall become effective September 1, 1945.

Issued this 31st day of August 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 24, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16314; Filed, Aug. 31, 1945; 10:34 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 299,[1] Amdt. 4]

SALES BY CANNERS OF TUNA, BONITO AND YELLOWTAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 299 is amended in the following respects:

1. In § 1364.660 (a) a new subparagraph (17) is added to read as follows:

(17) "Tonno" tuna means fancy light meat tuna packed in domestic olive oil.

2. In § 1364.662 (a) the following items are added to the table:

Variety	Style of container and price per case		
	No. 1 tuna	No. ½ tuna	No. ¼ tuna
Albacore and dark meat tuna (mixed)[1]			
GRATED AND FLAKES			
1. Containing 25% or less dark meat	$20.10	$10.55	$6.30
2. Containing 50% or less (but more than 25%) dark meat	16.20	8.60	5.30
3. Containing over 50% dark meat	8.50	4.75	3.40
Light and dark meat tuna (mixed)[1]			
GRATED			
1. Containing 25% or less dark meat	15.00	8.00	5.00
2. Containing 50% or less (but more than 25%) dark meat	12.30	6.65	4.35
3. Containing over 50% dark meat	7.00	4.00	3.00
FLAKES			
1. Containing 25% or less dark meat	14.40	7.70	4.85
2. Containing 50% or less but more than 25% dark meat	11.90	6.45	4.25
3. Containing over 50% dark meat	6.80	3.90	2.95
Tonno tuna	23.50	12.90	7.45

[1] The percentages set out herein refer to the weight of total tuna meat in the pack not to net contents.

3. Section 1364.662 (b) is amended to read as follows:

(b) For varieties, container sizes, or types and styles of pack of tuna, bonito, and yellowtail not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by statements showing costs and usual differentials.

All orders pricing packs of tuna issued under this paragraph or otherwise prior to June 22, 1945, are hereby revoked.

This amendment shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16315; Filed, Aug. 31, 1945; 10:35 a. m.]

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[1] 8 F.R. 364, 6440, 7489, 10 F.R. 7624.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5F,[1] Amdt. 3]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5F is hereby amended in the following respects:

The effective date of the order is changed to read as follows:

[1] 10 F.R. 6091, 6401.

Effective date. Revised Ration Order 5F shall become effective on May 30, 1945 and shall expire on August 15, 1945, subject to section 5.1 of General Ration Order No. 8; except that any person required by section 16.1 to keep records shall retain such records in his possession for six months after the expiration date of the order. Suspension orders in effect on the expiration date of the order, to the extent that they prohibit any person from receiving and transfer or delivery of, or from selling, using, or otherwise disposing of gasoline, shall terminate simultaneously with the expiration of the order.

This amendment shall become effective August 15, 1945.

NOTE: All record keeping requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

Issued this 15th day of August 1945.

GERALD A. BARRETT,
Territorial Director, Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-16308; Filed, Aug. 31, 1945; 10:35 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES

[MPR 478, Amdt. 5]

COATED AND COMBINED FABRICS

Correction

In Federal Register Document 45-14633, appearing at page 9880 of the issue for Thursday, August 9, 1945, the last column heading in paragraph 4 of Appendix C should read *"Maximum price."*

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1,[1] Amdt. 20]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Control Order 1 is amended in the following respects:

1. Section 1 (c) is amended to read as follows:

(c) *Class 3 slaughtering establishment.* Any place, other than a Class 1 slaughtering establishment, from which a person sold or transferred during each consecutive 12 month period from January 1, 1944 to March 31, 1945, inclusive, not more than 6000 pounds of meat derived from slaughter at that place of his livestock by him, or from custom slaughter of livestock for him, is a Class 3 slaughtering establishment if such place is a farm and such person is the resident operator of the farm. (Meat derived from custom slaughter of his livestock and sold or transferred by such person at or from the establishment of the custom slaughterer shall, for the purpose of this paragraph, be considered as having been sold or transferred by him from the farm.)

2. Section 1 (j) is added to read as follows:

(j) *Additional Class 3 slaughterers.* Any person who slaughters his livestock, or has it custom slaughtered for him, primarily to produce meat for consumption in his household or on a farm he operates, under the conditions specified in section 3.1 or 3.4 of Revised Ration Order 16, is also a Class 3 slaughterer if, during each consecutive 12 month period from January 1, 1944 to March 31, 1945, inclusive, he sold or transferred not more than 6000 pounds of the meat derived from the slaughter of his livestock by him or custom slaughter of his livestock for him.

3. Section 25 is added to read as follows:

SEC. 25. *Suspension orders.* (a) An administrative suspension order may be obtained pursuant to Revised Procedural Regulation 4 against any person who violates this order.

4. Section 26 is added to read as follows:

SEC. 26. *Additional prohibitions.* (a) General Ration Order 8 contains provisions, applicable to this and all other ration orders, which prohibit, among other matters:

(1) Making false or misleading statements in a ration document or to the Office of Price Administration;

(2) Altering, defacing, mutilating, or destroying a ration document;

(3) Forging or counterfeiting a ration document;

(4) Acquiring, using, transferring or possessing a forged, counterfeited, altered, defaced, or mutilated ration document;

(5) Wrongfully withholding a ration document;

(6) Transferring a rationed commodity in exchange for an invalid or improperly acquired ration document;

(7) Bribing, hindering, or interfering with rationing officials;

(8) Attempting to do any act in violation of a ration order, directly or indirectly, or to aid or encourage another to do so.

This amendment shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16301; Filed, Aug. 31, 1945; 10:34 a. m.]

[1] 10 F.R. 4605.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 70]

MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7.19 is revoked.

This amendment shall become effective September 2, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16309; Filed, Aug. 31, 1945; 10:33 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 60 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 29 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 29 which are made a part hereof.

This amendment shall become effective 12:01 a. m. September 2, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16310; Filed, Aug. 31, 1945; 10:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 2 to Supp. Ser. Reg. 47]

RETAIL SHOE REPAIR SERVICES

Correction

In Federal Register Document 45-15128, appearing at page 10124 of the issue for Saturday, August 18, 1945, the fourth from the last paragraph should read as follows:

Premium leather (Prime, Fine, S. B. Prime, X-Fine, Extra-Fine, X-Prime, Y-Fine, Fine-F, Prime F, Prime-X, Fine-E, Government Selection, Military Selection, or Army Selection leather).

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 59]

LINEN SUPPLY SERVICE IN BOSTON AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 59 has

[1] 9 F.R. 6731.

[2] 10 F.R. 48, 521, 857, 293, 294.

been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 59 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected areas.

§ 1499.700 *Linen supply in the Boston Area.*—(a) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for linen supply services when supplied by sellers located in the geographical area described below are hereby modified and henceforth shall be the prices set forth in Appendix A, except for "large accounts" as herein defined. Lower prices than those established by this regulation may be offered, charged, or paid.

(b) *Geographical area.* This regulation applies to the linen supply establishments located in the corporate limits of the following municipalities in the Commonwealth of Massachusetts:

Arlington, Bedford, Belmont, Boston, Braintree, Brockton, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Everett, Hingham, Holbrook, Hull, Lexington, Lincoln, Lowell, Lynn, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Somerville, Stoneham, Wellesley, Wakefield, Waltham, Watertown, Weston, Westwood, Weymouth, Winchester, and Woburn.

(c) *Nature of accounts*—(1) *Large accounts.* The maximum prices for a "large account" shall remain subject to the provisions of Revised Maximum Price Regulation 165, and any applicable supplementary service regulation.

"Large account" means a volume of $50 or more of linen supply service sold or delivered to a place of business during the calendar week ending May 12, 1945; it also means an account above the $50 weekly minimum which has been designated as a "large account" by an OPA order in accordance with the provisions of paragraph (c) (2) herein.

(2) *Change in nature of accounts.* If the weekly volume of an account increases to $50 or more or if a "large account" decreases in volume below such weekly amount, and such increase or decrease continues for four consecutive weeks, the appropriate OPA office may upon presentation of satisfactory evidence by the supplier or the purchaser issue an order reclassifying such account. Upon such reclassification, the account shall then be subject to the appropriate maximum prices for its size in accordance with the provisions of this regulation.

(d) *Applicability of Revised Maximum Price Regulation 165.* Except as provided to the contrary, all the other provisions of Revised Maximum Price Regulation 165 and any applicable supplementary service regulation shall apply to the linen service suppliers subject to this regulation.

(e) *Definitions.* (1) "Linen Supply Service" means the providing of clean linens and/or garments which are owned by the supplier to industrial, commercial, or professional users.

(2) "Linens" is not confined to articles made of linen textiles, but includes all articles of whatsoever fabric made, which are commonly embraced by that term.

(3) The designations of items of laundry services used in this regulation shall be given their ordinary trade meanings as used in the affected areas unless indicated to the contrary herein.

(4) "Special" when used in connection with linen supplies means an item made of damask material or other special quality or design or specially tailored according to specifications previously ordered by a purchaser.

(5) "Factory industrial hand towels" mean hand towels 32 inches or over peddled to and paid for by various individuals within a place of business in contrast to a bulk delivery to a place of business.

(f) *Notice requirements.* Within 30 days from the effective date of this regulation, every seller of linen supply service covered by this regulation shall notify each of his customers of the maximum prices established herein.

(g) *Invoices.* Seller's invoices or bills must describe the items of service supplied in the terms used in this regulation.

(h) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation, the provisions of Section 16 of Revised Maximum Price Regulation 165 shall no longer be available to sellers covered by this regulation as to the services listed herein; furthermore, any adjustment in prices of surcharges or percentage surcharges heretofore granted to any establishment is hereby revoked as to the services listed in Appendix A.

(i) *Delegation of authority.* The Boston Regional Administrator and any District Director within the jurisdiction of the Boston Regional Administrator, who has been authorized by the Boston Regional Administrator, may administer the provisions of this supplementary service regulation.

APPENDIX A—MAXIMUM PRICES FOR LINEN SUPPLY ITEMS

	Per piece
1. Apron, bib or bar	$0.10
2. Apron, tea	.07
3. Apron, waist	.12
4. Apron, industrial	.13
5. Bar mop	.025
6. Cap, or headband	.10
7. Coat, plain	.26
8. Coat, chef	.30
9. Coat, special	.30
10. Coat, dentist	.45
11. Mess jacket	.30
12. Dress, bungalow	.20
13. Dress, smock, or hoover	.36
14. Dress, special	.40
15. Frock, butcher	.36
16. Gown, plain	.36
17. Gown, professional	.40
18. Gown, nurse	.45
19. Hair cloth	.10
20. Napkin, small, plain	.01
21. Napkin, damask, 20-inch	.015
22. Trousers	.30
23. Slacks, ladies'	.25
24. Pillow case	.05

APPENDIX A—MAXIMUM PRICES FOR LINEN SUPPLY ITEMS—Continued

	Per piece
25. Sheet, regular	$0.11
26. Sheet, small	.08
27. Shave cloth	.05
28. Shirt, men's	.25
29. Shirt, ladies'	.25
30. Uniform jacket	.30
31. Table top, up to 45", plain	.07
32. Table top, up to 45", special	.08
33. Table cloth, 45" to 54", plain	.08
34. Table cloth, 45" to 54", special	.10
35. Table cloth, 54" to 72", special	.12
36. Towel, bath, large, 20" x 40"	.07
37. Towel, bath, medium, 18" x 36"	.05
38. Towel, dental	.0175
39. Towel, glass	.03
40. Towel, kitchen, small 27" or less	.02
41. Towel, kitchen, large, over 27"	.03
42. Towel, manicure	.015
43. Towel, barber massage, 16" x 27"	.025
44. Towel, barber massage, 18" x 36"	.05
45. Towel, barber, 27" or less	.01
46. Towel, barber, over 27"	.0125
47. Towel, beauty massage, 16" x 27"	.03
48. Towel, beauty, 27" or less	.0125
49. Towel, beauty, over 27"	.015
50. Towel, roller, 2 yards	.10
51. Towel, bowling alley	.0225
52. Towel, grommet or chain	.01
53. Towel, shop	.015
54. Towel, hand, 32" or over	.04
55. Towel, individual, less than 32"	.02
56. Factory industrial hand towel, individual service	.08

TOWEL SERVICE

Individual towels (14 x 24) delivered weekly:	*Per month*
12 individual towels per week	$1.25
18 individual towels per week	1.50
25 individual towels per week	1.85
50 individual towels per week	3.50
75 individual towels per week	5.00
100 individual towels per week	6.25
	Each
Additional individual towels per week	$0.02
Hand towels (18 x 36) delivered weekly:	
Monthly charge accounts:	*Per month*
2 hand towels per week—minimum charge	$0.90
Each additional hand towel, up to and including 100 per week	.20
	Each
Over 100 hand towels per week	$0.035
Towel cabinets each	.30
Weekly charge accounts:	*Per week*
2 hand towels per week—minimum charge	$0.25
Each additional hand towel up to and including 100 per week	.05
	Each
Over 100 hand towels per week	$0.035
	Per week
Towel cabinets each	$0.10
Roller towels (2½ yd) delivered weekly:	*Per month*
2 roller towels per week, minimum charge	$1.25
Each additional roller towel per week	.25
Towel cabinets each	.30
Continuous towel cabinet service:	
17-yard roll—0.35 each; minimum charge for each cabinet	1.65
25-yard roll—0.60 each; minimum charge for each cabinet	2.00
50-yard roll—0.75 each; minimum charge for each cabinet	3.00

This Supplementary Service Regulation shall become effective on September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16321; Filed, Aug. 31, 1945; 10:31 a. m.]

Chapter XIII—Petroleum Administration for War

[Recommendation 13, Revocation]

PART 1503—PRODUCTION

DEVELOPMENT AND OPERATION OF CONDENSATE POOLS

Recommendation No. 13 of the Petroleum Coordinator for National Defense is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: September 1, 1945.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 45-16367; Filed, Aug. 31, 1945; 11:19 a. m.]

PART 1503—PRODUCTION

[Recommendation 32, Revocation]

DRILLING UNITS

Sections 1503.25 and 1503.26 (Recommendation No. 32 of the Office of Petroleum Coordinator for National Defense) are hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: September 1, 1945.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 45-16369; Filed, Aug. 31, 1945; 11:19 a. m.]

PART 1512—NATURAL GAS AND NATURAL GASOLINE

[Recommendation 25, Revocation]

NATURAL GAS AND NATURAL GASOLINE

Sections 1512.1 to 1512.4, inclusive (Recommendation No. 25 of the Office of Petroleum Coordinator for National Defense) are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: September 1, 1945.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 45-16368; Filed, Aug. 31, 1945; 11:19 a. m.]

PART 1512—NATURAL GAS AND NATURAL GASOLINE

[Petroleum Directive 79, Revocation]

LIMITATION UPON USE OF BUTANE AND PROPANE-BUTANE MIXTURE IN OIL AND GAS DRILLING OPERATIONS

Section 1512.5 (Petroleum Directive No. 79) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: September 1, 1945.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 45-16370; Filed, Aug. 31, 1945; 11:19 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 68, Amdt. 1]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

EXEMPTION OF CERTAIN COMMODITIES AND TRANSACTIONS FROM PRICE CONTROL

Pursuant to the authority vested in me by the act of Congress of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes", and by Executive Order 9250 of October 3, 1942, Executive Order 9328 of April 8, 1943, and Executive Order 9599 of August 18, 1945, *It is ordered:*

Directive 68, Exemption of Certain Commodities and Transactions from Price Control, Issued July 25, 1945 (10 F.R. 9338), is hereby amended in the following respects:

Section 2 (a) (3) is amended to read as follows:

(3) Suspension of control with respect to the commodity, or exemption from control, presents no substantial threat of diversion of materials, facilities or manpower from production which is essential to the effective transition to a peacetime economy, and does not impair effective price control with respect to other commodities; or

(E.O. 9250 and E.O. 9328, 3 CFR Cum. Supp. pp. 1213, 1267; E.O. 9599, 10 F.R. 10155)

Issued and effective this 30th day of August 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-16283; Filed, Aug. 30, 1945; 1:57 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waivers of Navigation and Vessel Inspection Laws and Regulations

CONDITIONAL WAIVER OF MANNING REQUIREMENTS

Pursuant to the authority vested in me by the order of the Acting Secretary of the Navy dated October 1, 1942, 7 F.R. 7979, as amended by order of the Secretary of the Navy dated June 5, 1945, 10 F. R. 6848, the order of the Commandant conditionally waiving manning requirements dated April 8, 1943, 8 F. R. 4736, is hereby amended by making such waiver inapplicable to all ocean and coastwise passenger vessels and all vessels carrying troops. This amendment shall be effective immediately.

Dated: August 30, 1945.

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 45-16390; Filed, Aug. 31, 1945; 12:12 p. m.]

Chapter III—War Shipping Administration

[Rev. G. O. 24]

PART 310—MERCHANT MARINE TRAINING

APPOINTMENT AND TRAINING OF CADET-MIDSHIPMEN IN UNITED STATES MERCHANT MARINE CADET CORPS

General Order 24 is revised to read:

Under authority of the Merchant Marine Act, 1936, as amended, Executive Order 9083, dated February 28, 1942, Executive Order 9054, dated February 7, 1942, Executive Order 9198, dated July 11, 1942, and Public Law 169—79th Congress, the following revised regulations governing the U. S. Merchant Marine Cadet Corps and appointments as cadet-midshipmen therein are prescribed and issued. These regulations, §§ 310.46 to 310.73 inclusive, shall become effective as of September 1, 1945, and shall supersede all previous regulations governing the appointment and training of cadet-midshipmen in the United States Merchant Marine Cadet Corps.

Sec.

AUTHORITY: §§ 310.46 to 310.73, inclusive, issued under Merchant Marine Act, 1936, as amended; E.O. 9054, 9083, 9198, 3 CFR Cum. Supp.; Pub. Law 169, 79th Cong.

§ 310.46 *Definitions.* When used in §§ 310.46 to 310.73, inclusive, the term:

(a) "WSA" means War Shipping Administration.

(b) "Assistant deputy administrator" means assistant deputy administrator for the Training Organization of the War Shipping Administration.

(c) "The Academy" means the United States Merchant Marine Academy at Kings Point, New York, a unit of the United States Merchant Marine Cadet Corps.

(d) "Cadet School" means United States Merchant Marine Cadet School at either Pass Christian, Mississippi, or San Mateo, California, two units of the United States Merchant Marine Cadet Corps.

(e) "Supervisor" means supervisor of the United States Merchant Marine Cadet Corps, the officer in charge of and directly supervising all units of the United States Merchant Marine Cadet Corps.

(f) "District supervisor" means district supervisor of the United States Merchant Marine Cadet Corps.

(g) "Foreign supervisor" means foreign supervisor of the United States Merchant Marine Cadet Corps.

(h) "Midshipman USNR" means midshipman, Merchant Marine Reserve, United States Naval Reserve, an appointment by the Secretary of the Navy to cadet-midshipmen of the United States Merchant Marine Cadet Corps and held concurrently with their appointment as cadet-midshipman.

(i) "Cadet-midshipman" means cadet-midshipman, United States Merchant Marine Cadet Corps.

§ 310.47 *General requirements.* (a) A candidate must be a male citizen of the United States. If naturalized, a candidate must have been a citizen of the United States for ten years prior to the date of application, and must be acceptable academically, physically, and morally to the Navy for appointment as midshipman, USNR.

(b) A candidate must be not less than sixteen years and six months of age and not yet twenty-one years of age on the date the application is received by the supervisor. No candidate shall be ordered to report for physical examination and submission of application for appointment as midshipman, USNR, until seventeen years of age.

(c) A candidate may be admitted to a cadet school as a fourth classman at an age of not less than seventeen years and, after satisfactory completion of courses, may be assigned to a merchant vessel or a training ship as a third classman.

(d) No waivers for underage or overage shall be granted.

(e) A candidate must prove to the supervisor that he possesses good moral character.

(f) A candidate must be unmarried.

(g) A candidate who has been dismissed or compelled to resign from the Naval, Military or Coast Guard Academies or a State maritime academy for improper conduct, or who has been dishonorably discharged for cause or has resigned with prejudice as a member of the armed forces of the United States or as a civil employee of the United States shall not be considered eligible for appointment as a cadet-midshipman.

§ 310.48 *Physical requirements.* (a) A candidate for appointment as cadet-midshipman must qualify physically for appointment as midshipman, USNR. The physical examination will be conducted by medical and dental officers of the United States Navy.

(b) A candidate must be of normal size, sound constitution, and free from physical defects or diseases, especially those of vision, color perception (plate tests), speech and hearing. He must be not less than 5 feet 6 inches and not more than 6 feet 4 inches in height. Candidates must have minimum vision of 20/20 in each eye without glasses.

(c) A candidate must be examined by a physician who shall execute a certificate on the candidate's application to the effect that, in his opinion, the candidate meets the strict physical standards set by the Navy for appointment as midshipman USNR.

(d) No waivers will be granted for physical deficiencies.

§ 310.49 *Scholastic requirements.* (a) The scholastic requirements for appointment in the United States Merchant Marine Cadet Corps shall be similar to those required for candidates taking substantiating examinations for the United States Naval Academy.

(b) A candidate for appointment as cadet-midshipman (deck) or cadet-midshipman (engineer) must possess 15 units as shown below from accredited schools. Evidence showing completion of such units or showing that such units will be completed within two months from date the application is received must be furnished by the candidate before an application will be approved.

REQUIRED GROUP (9½ UNITS)

3½ units in mathematics (including 1½ in algebra, 1 in plane geometry, and ½ in solid geometry or trigonometry).
3 units in English.
2 units in science including 1 in physics.
1 unit in United States history.

OPTIONAL GROUP (5½ UNITS)

In addition to the above required 9½ units, a candidate must furnish evidence of the completion of at least 5½ units of other subjects at accredited schools.

(c) If a candidate has an excess of units in any subject in the required group, such excess units may be credited to the optional group.

(d) The supervisor may reject any candidate because his grades in the required or optional subjects or because the absence of certain subjects in the optional group create doubt as to his ability to pursue successfully the courses prescribed for cadet-midshipmen.

§ 310.50 *Applications.* (a) A fully completed application for appointment as cadet-midshipman, together with supporting papers as prescribed by § 310.51, shall be submitted to the Supervisor, United States Merchant Marine Cadet Corps, Training Organization, WSA, Washington 25, D. C., which application shall

(1) Show and be signed with the full legal name of the candidate.

(2) Be certified by a physician as prescribed in § 310.48 (c).

(3) Have attached one full face 2½" x 2½" photograph of the candidate.

(b) A determination at any time during a cadet-midshipman's course that he knowingly made any false statements in his application will be grounds for his dismissal.

§ 310.51 *Supporting papers.* A candidate must submit or cause to be submitted to the supervisor, in support of his application, the following:

(a) A certified transcript of the candidate's scholastic record forwarded from the registrar or other official of the school directly to the supervisor.

(b) Evidence of citizenship in duplicate as follows:

(1) If native born:

(i) A duly verified copy of a public or church record of birth, or

(ii) The affidavit, under oath, of the physician, midwife, or other persons present at the birth, or

(iii) In cases where neither (i) nor (ii) can be obtained by the candidate, the affidavit of either parent, or

(iv) In cases where the candidate certifies that no one of the above is obtainable, the affidavits (under oath) of two reputable citizens acquainted with him, each of which should contain the facts within the knowledge of the deponent upon which he bases his statements as to the citizenship of the candidate, as for example, that he has known the candidate since birth, that he knew his parents, or as the case may be.

(2) If foreign born:

(i) Certificate of naturalization, under the seal of the court in which naturalized, or

(ii) Certificate of naturalization, under the seal of the court in which naturalized, of the parent during the minority of the candidate, together with the affidavit of the parent whose certificate of naturalization is submitted, or

(iii) In special cases where the candidate certifies that neither (i) nor (ii) is obtainable, the affidavits of two reputable citizens acquainted with him (see subparagraph (1) (iv) of this paragraph). As every naturalization is a matter of record in some court, these affidavits will be accepted only in very exceptional cases and on the understanding that the candidate shall later submit a certificate of naturalization.

(c) In the event the name of an applicant differs from the name shown in evidence of citizenship, a copy of the court order authorizing change of name.

NOTE: None of the papers described in this section, with the exception of (b) will be returned to the candidate after review. The documents in proof of citizenship will be promptly returned to the candidate; such documents in duplicate must be submitted with application for appointment as midshipman, MMR, USNR.

§ 310.52 *Scholastic tests.* (a) Effective for classes entering September 1, 1945, and thereafter, competitive scholastic tests shall be required of all cadet-midshipmen before appointment.

(b) Applications and supporting papers will be carefully examined at the office of the supervisor and if a candidate is considered qualified he will be informed by the supervisor of the date and place of competitive scholastic tests. Travel expense incident to taking the examination shall be borne by the candidate.

(c) Five points will be added to the grade received in competitive examination by any unlicensed man in the United States merchant marine or the United States Maritime Service who has had at least six months' service aboard ship.

(d) A candidate who fails to receive sufficiently high grades in the competitive scholastic test may be permitted by

the supervisor to take another examination, if he has not reached his 21st birthday and remains outherwise qualified, (1) after six months from the date of first examination, or (2) within six months from such date in which latter case he must first submit satisfactory evidence that he is or has been taking preparatory courses.

§ 310.53 *Required financing.* Cadet-midshipmen appointed on and after September 1, 1945, must deposit $100.00 with the finance officer at the Cadet School for initial issue of uniforms, textbooks and other equipment as provided in § 310.65. In addition, each such cadet-midshipman must have $25.00 for spending money and must furnish at his expense, the services specified in § 310.65 (c), and such items of personal equipment as may be prescribed by the supervisor.

§ 310.54 *Eligibility lists.* (a) The names of candidates who have received sufficiently high grades in the competitive scholastic tests for appointment as cadet-midshipmen will be placed on eligibility lists for each State and territory in accordance with grades received.

(b) The lists of eligible deck candidates and engineer candidates shall be divided into two groups by the supervisor and assignments as fourth classmen will be made to the Cadet Schools at Pass Christian or San Mateo as determined by the supervisor, subject to the requirements of § 310.55 (b).

(c) The name of a candidate will be removed from the eligibility list if he fails to acknowledge receipt of instructions, fails to report, or rejects assignment to Cadet School without a reason acceptable to the supervisor.

§ 310.55 *Physical examination.* (a) Candidates who received sufficiently high grades in competitive scholastic tests and have been placed on the eligibility lists will be directed by the supervisor to report to a United States Navy facility for physical examination. Travel and other expense incident to this examination shall be borne by the candidate.

(b) Assignment to Cadet School shall be contingent upon passing this physical examination and receiving appointment as midshipman, USNR.

§ 310.56 *Appointments and assignments.* (a) Candidates who have sufficiently high grades in the competitive scholastic tests and who have passed the physical examination required for appointment as midshipman, USNR, shall be appointed cadet-midshipman, United States Merchant Marine Cadet Corps, by the supervisor, (1) in accordance with state and territory quotas based on the population of such state or territory as shown by the latest census, or (2) from over-quota states and territories in the order of the highest grades received in the competitive examination when there are not sufficient candidates from under-quota states and territories.

(b) A total of 120 appointments per year, or 10 deck and 10 engineer bi-monthly, may be allocated to unlicensed men of the merchant marine or United States Maritime Service who receive a passing grade in the competitive scholastic tests and are otherwise qualified regardless of state quotas.

(c) A certificate of appointment signed by the supervisor shall be issued to a cadet-midshipman upon his assignment to a Cadet School.

(d) Assignments of cadet-midshipmen to vessels as third classmen shall be made by the district and foreign supervisors who shall arrange for introductions to the proper shore officials of the steamship companies concerned and for the signing of ship's articles. Cadet-midshipmen shall not be permitted to select the vessel or steamship company employer, nor shall steamship companies or their representatives be permitted to select cadet-midshipmen.

§ 310.57 *Liaison with local Selective Service boards.* (a) Local Selective Service boards will be:

(1) Requested by the Navy to defer action on candidates over 18 years of age who have successfully passed the Navy physical examinations for appointment as midshipmen.

(2) Promptly informed by the commanding officer of the Cadet School or by the district supervisor if the candidate is awaiting assignment to a Cadet School, and the date on which the oath and acceptance of office as midshipman, USNR, is signed.

(3) Promptly informed by the superintendent of the Academy or by the commanding officers of Cadet Schools of resignations of cadet-midshipmen attached to their units, by the district and foreign supervisors of resignations of cadet-midshipmen not attached to Cadet Schools or Academy, and by the supervisor of all dismissals of cadet-midshipmen.

(b) Responsible officers of the Cadet Corps will promptly inform the Chief of Naval Personnel of those cadet-midshipmen who resign or are dismissed in order that their appointments as midshipmen, USNR, may be revoked and the local Selective Service board may be so advised.

§ 310.58 *Schools and courses.* (a) Cadet Schools for cadet-midshipmen, fourth class, shall be maintained by WSA at Pass Christian, Mississippi, and at San Mateo, California.

(b) Merchant or training vessels, as the supervisor shall determine, shall serve as the place of training for cadet-midshipmen, third class.

(c) The United States Merchant Marine Academy for cadet-midshipmen, second and first classes, shall be maintained by WSA at Kings Point, Long Island, New York.

(d) The courses for cadet-midshipmen appointed on or after the first day of September, 1945, shall be, in general, six months at Cadet School, followed by not less than six months aboard merchant or training vessels, and twenty-four months at the Academy inclusive of cruises in a training vessel while at the Academy.

(e) The curricula and changes therein shall be prescribed by the supervisor and approved by the assistant deputy administrator. Cadet-midshipmen shall be advised by circular letters of any such changes.

(f) Lesson plans, instructors' manuals, class schedules, lesson assignments, sea courses, quizzes, problems, and supplementary material shall be prepared by the Educational Unit of the United States Merchant Marine Cadet Corps assisted by the department heads of the Academy and the Cadet Schools as directed by the supervisor.

(g) The examinations and sea courses shall be graded by the staff of instructors at the Cadet Schools and the Academy or as directed by the supervisor.

§ 310.59 *Instructors and administrative personnel.* (a) The supervisor is authorized, in accordance with law and allotment limitations, and subject to approval by the assistant deputy administrator,

(1) To employ instructors on a contract basis for detail to the Academy, Cadet Schools, training vessels, offices of district and foreign supervisors, the Educational Unit and the office of the supervisor, and

(2) To contract for and utilize the services of outside personnel and agencies when, in his judgment, the facilities and staffs of the Academy, Cadet Schools, or the Educational Unit are insufficient economically and efficiently to administer tests, prepare the courses, and grade papers in all prescribed subjects and the competitive scholastic tests for appointment.

(b) Personnel for administrative or instructor duty with the United States Merchant Marine Cadet Corps, may be enrolled in the United States Maritime Service at grades designated by the supervisor with the approval of the assistant deputy administrator.

§ 310.60 *General conduct.* (a) The supervisor shall maintain high standards of discipline in the United States Merchant Marine Cadet Corps.

(b) During the entire course a cadet-midshipman's aptitude and adaptability for a career at sea as an officer will be closely observed and any conduct indicating a lack in officer like and gentlemanly characteristics will be reported to the supervisor.

(c) Steamship company employers, in order to permit cadet-midshipmen to carry on with the training courses, shall not give them overtime work. Of their eight hour day, two hours each day shall be allowed by steamship company employers for study purposes. In addition, cadet-midshipmen shall devote three hours of their own time each day to study.

(d) The record of each cadet-midshipman filed with the Educational Unit of the Cadet Corps shall list the courses he has completed, the grades received in each, and the comments of his instructors.

§ 310.61 *Pay.* (a) On the last day of each month, or on the date detached, cadet-midshipmen will receive pay at the rate of $65 per month (less deductions for text books, uniforms and equipment issued to them as provided in § 310.65), while attached to the Academy, Cadet Schools, or places of special shore training and while on leave as provided in § 310.64. Pay shall commence on the

date of attachment and terminate on the date of detachment.

(b) Cadet-midshipmen will receive pay, while attached to merchant vessels, at the rate of $82.50 per month from their steamship company employers, representing the minimum basic monthly wage of $65.00 and additional emergency compensation of $17.50, together with such war risk bonuses and insurance benefits as may be prescribed from time to time by decisions and rulings of the Maritime War Emergency Board. In addition the steamship company employers shall pay the cadet-midshipmen aboard ship such explosive cargo bonus, penalty cargo bonus, subsistence and room allowances in port, transportation allowances, and such other bonuses as are paid to the licensed officers of the vessel to which the cadet-midshipmen are attached.

(c) Cadet-midshipmen shall not be given overtime work or granted overtime pay.

(d) Cadet-midshipmen will receive pay while under orders of the supervisor pursuant to § 310.66 or when otherwise specially authorized by the supervisor.

(e) The supervisor may place any cadet-midshipman on a non-pay basis for disciplinary reasons while assigned to the Academy, Cadet Schools, places of special shore training, or on leave. In the event that a cadet-midshipman is dismissed from the Cadet Corps for disciplinary reasons, the supervisor may, in his discretion, deny payment to such cadet-midshipman of all his earnings due and unpaid at the time of dismissal.

§ 310.62 *Quarters, subsistence and allowances.* (a) Cadet-midshipmen, while attached to Cadet Schools and the Academy will be furnished quarters and subsistence by WSA.

(b) Cadet-midshipmen while on special assignments away from the Cadet Schools or Academy and when so authorized by the supervisor or district supervisors, will receive from WSA an allowance of $90.00 per month in addition to their pay as provided in § 310.61, for quarters, subsistence and other living expenses in the event steamship companies, shipyards, or others to whom cadet-midshipmen are assigned for special training ashore do not furnish same or pay such allowance.

(c) Cadet-midshipmen, while assigned to ships, will be furnished quarters and subsistence by the steamship company employer. While aboard ship they shall be berthed in rooms with other cadet-midshipmen in that part of the vessel designated as licensed officer or first class passenger quarters, and shall mess with licensed deck and engineer officers.

(d) Cadet-midshipmen, while traveling on the orders of a steamship company, or when quarters or subsistence are not furnished aboard ship, shall receive from such company the same allowances for transportation, quarters, and subsistence as licensed deck and engineer officers of the steamship company.

(e) Subsistence will not be furnished cadet-midshipmen while away from the Cadet School or Academy on leave or liberty.

(f) A per diem allowance will not be given cadet-midshipmen except as provided in § 310.66.

§ 310.63 *Transportation and travel expenses.* (a) WSA shall reimburse cadet-midshipmen at the rate of five cents per mile, based on official mileage tables of the War Department, for their traveling expenses while traveling on orders of the supervisor or district supervisors from home town to port wherein the Cadet School is located, after satisfactory completion of courses for fourth classmen. Payment shall be made by the finance officer attached to the Cadet School on the date of detachment.

(b) The Training Organization of WSA will issue government transportation requests and meal tickets to cadet-midshipmen for the following travel only:

(1) From New York, New Orleans or San Francisco to the port where vessel of assignment is located, or to a place of special shore training, provided such transportation has not been paid by a steamship company or a shipyard. Transportation requests and meal tickets for such travel will be issued by the district supervisor at New York, New Orleans or San Francisco;

(2) From New York, New Orleans or San Francisco to the Academy or to a place of special shore training, provided no leave is granted during the interval between detachment from ship and date of arrival at the Academy or place of special shore training. Transportation requests and meal tickets for such travel will be issued by the district supervisor at New York, New Orleans or San Francisco;

(3) Between ports and the Academy or Cadet Schools and places of special shore training. Transportation requests and meal tickets for such travel will be issued by the superintendent or commanding officer; and

(4) As provided in § 310.66.

(c) Cadet-midshipmen will not be reimbursed by WSA or issued transportation requests or meal tickets for travel to and from the Academy or Cadet Schools or locations of special training ashore or ships while they are on leave.

§ 310.64 *Leave with pay.* Leave with pay for cadet-midshipmen attached to Cadet Schools and the Academy shall be as follows:

(a) Effective for all cadet-midshipmen appointed on or after September 1, 1945 and except as otherwise provided in this section, leave with pay for cadet-midshipmen, fourth, second and first classes shall be the same as for midshipmen of the same classes at the United States Naval Academy.

(b) District and foreign supervisors may, at their discretion, grant leave with pay to cadet-midshipmen, third class, awaiting assignment to the first ship and while awaiting assignment to the Academy after detachment from the last ship.

(c) District and foreign supervisors, may at their discretion, grant sick leave with pay, including sick leave at home for a period of not more than four months.

(d) Such other leave with pay may be granted as authorized by the supervisor.

§ 310.65 *Uniforms, insignia, textbooks, equipment.* (a) Cadet-midshipmen shall possess uniforms, insignia, textbooks and equipment as prescribed by the supervisor with the approval of the assistant deputy administrator in "Uniform Regulations for the United States Merchant Marine Cadet Corps" and in circular letters.

(b) Effective for all cadet-midshipmen appointed on and after September 1, 1945, the cost of uniforms, insignia, textbooks and equipment shall be deducted from deposit as prescribed in § 310.53 and from pay as prescribed in § 310.61 (a).

(c) Effective for all cadet-midshipmen appointed after September 1, 1945, and while attached to the Cadet Schools and the Academy, towels shall be furnished by and laundered at the expense of cadet-midshipmen. Bed linen, spreads, pillow cases, blankets, pillows and mattresses shall be issued to all cadet-midshipmen on custody receipt while attached to Cadet Schools and the Academy, but the expense of laundering, cleaning and fumigation shall be borne by the cadet-midshipmen.

(d) It shall be unlawful for any person not a cadet midshipman to wear the duly prescribed insignia of the United States Merchant Marine Cadet Corps or any distinctive part of such insignia, or an insignia any part of which is similar to a distinctive part of the duly prescribed insignia of the Cadet Corps. Any cadet-midshipman who resigns or is separated for cause from the United States Merchant Marine Cadet Corps shall not be permitted to wear insigne of the Cadet Corps after thirty days from date of resignation or separation. Persons failing to comply with these regulations shall be prosecuted to the full extent of the law, and shall be subject to a fine of not more than $250.00 or by imprisonment not exceeding six months, or by both said fine and imprisonment (Public Law 169—79th Congress).

§ 310.66 *Honors.* Cadet-midshipmen who for distinguished service, or, for some other reason, have won special awards, may be ordered to Washington, D. C., by the supervisor to receive such awards from the Administrator, WSA, or other government official. In such cases the cadet-midshipman shall receive pay at the rate of $65 per month from WSA during the period absent from the Academy, Cadet School, or ship and will travel on regular government travel requests issued by WSA with the per diem allowance granted officers in the armed forces. If assigned to the Academy or a Cadet School, the cadet-midshipman shall receive pay accrued and due on the day ordered to depart from the Academy or Cadet School for Washington. The period of stay in Washington shall not exceed five days.

§ 310.67 *Vessels required to carry cadet-midshipmen.* All merchant vessels registered under the flag of the United States which are owned, chartered or

controlled by WSA or subsidized by the United States Maritime Commission are required to provide for the training of at least two cadet-midshipmen which training shall be conducted under the conditions set forth in §§ 310.46 to 310.73 inclusive, and any instructions hereafter issued by the supervisor with the approval of the assistant deputy administrator.

§ 310.68 *Active duty in Navy as midshipmen, United States Naval Reserve.* Cadet-midshipmen serving on vessels which have been taken over by the Navy may be ordered to active duty as midshipmen, USNR and in such cases they will carry on with courses of study for their licenses in addition to their naval duties. Midshipmen, United States Naval Reserve, on active duty with the Navy may be assigned to the Academy if the Navy Department so directs.

§ 310.69 *Resignations and dismissals.* (a) A cadet-midshipman who desires to resign shall submit in sextuplicate a written resignation containing detailed reasons for such resignation, for acceptance by direction of the district supervisor:

(1) If attached to a merchant ship, via the master or commanding officer of the vessel to the district supervisor,

(2) If attached to a Cadet School, to the commanding officer, or

(3) If attached to the Academy, to the superintendent of the academy.

(b) Cadet-midshipmen may be requested to resign or be dismissed as follows:

(1) If it should be determined at any time during a cadet-midshipman's course that he falsified his application or supporting papers as prescribed in §§ 310.50 and 310.51, respectively, he shall be dismissed.

(2) Any cadet-midshipman who marries before being graduated shall be requested to resign, and, failing to do so, shall be dismissed by the assistant deputy adminitrator upon the recommendation of the supervisor.

(3) Any defect or disease, developed by a cadet-midshipman, which would be cause for discharge from the United States Naval Reserve will be sufficient cause for the supervisor to revoke his appointment.

(4) A cadet-midshipman reported lacking in officerlike and gentlemanly characteristics may be requested to resign, or may be dismissed.

(c) If a resignation under paragraph (a) of this section is accepted, or if a resignation, revocation of appointment, or dismissal is effected under paragraph (b) of this section, or if a cadet-midshipman is otherwise separated from the United States Merchant Marine Cadet Corps, copies of the writing evidencing such action or separation, with proper endorsements thereon, must be forwarded to the Chief of Naval Personnel, to the appropriate local Selective Service board as provided in § 310.57, to the supervisor, and to the cadet-midshipman.

(d) A cadet-midshipman must be informed before resignation or dismissal that the Cadet Corps is required to inform his local Selective Service board immediately, and cannot assist him in obtaining unlicensed billets on merchant vessels.

(e) No person who has resigned or has been dismissed as a cadet-midshipman will be reappointed without the approval of the assistant deputy administrator upon recommendation of the supervisor.

§ 310.70 *Graduation; diploma.* A cadet-midshipman will be eligible for diploma after complying with all of the following conditions:

(a) Satisfactory completion of the prescribed courses, certified by the superintendent of the Academy and by the assistant supervisor of the United States Merchant Marine Cadet Corps in charge of the Educational Unit (by direction of the supervisor).

(b) Successful completion of the examination for an unlimited or any tonnage license as a deck or engineer officer in the U. S. Merchant Marine. Engineers must obtain steam and diesel licenses if eligible under Marine Inspection regulations.

(c) Filing application for a commission as ensign, United States Naval Reserve, and acceptance of same, if found qualified.

(d) Filing application for enrollment as ensign, United States Maritime Service and acceptance of same, if found qualified.

§ 310.71 *Distribution of regulations.* These regulations (§§ 310.46 to 310.73, inclusive) may be distributed to all cadet-midshipmen, candidates for appointment as cadet-midshipmen, steamship company officials, masters, and officers of vessels and others concerned with or interested in the training of cadet-midshipmen ashore and at sea.

§ 310.72 *Issuance of instructions.* The supervisor is hereby authorized, with the approval of the assistant deputy administrator, to prescribe and issue instructions supplementing these regulations (§§ 310.46 to 310.73, inclusive).

§ 310.73 *Address for mailing purposes.* All communications relating to matters connected with the appointment and training of cadet-midshipmen in the U. S. Merchant Marine Cadet Corps shall be addressed: The Supervisor, U. S. Merchant Marine Cadet Corps, Training Organization, War Shipping Administration, Washington 25, D. C.

[SEAL] E. S. LAND,
Administrator.

AUGUST 30, 1945.

[F. R. Doc. 45-16289; Filed, Aug. 31, 1945; 9:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

OFFICES; HOURS

The Commission on August 29, 1945, effective immediately, amended § 1.1 *Offices; hours* to read:

§ 1.1 *Offices; hours.* The principal office of the Commission shall be located at Washington, D. C., and all communications to it shall be addressed to the Secretary, Washington 25, D. C., unless otherwise specifically directed. The hours of the Commission are from 9:15 a. m. to 5:45 p. m., Monday through Friday, except on legal holidays.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-16300; Filed, Aug. 31, 1945; 10:10 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 1—RULES OF PRACTICE

COMPUTATION OF TIME

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 30th day of August, A. D. 1945.

Section 17 of the Interstate Commerce Act, as amended, being under consideration:

It is ordered, That Rule 21 (a) of the General Rules of Practice before the Commission, revised effective September 15, 1942 (§ 1.21, Code of Federal Regulations), be, and it is hereby, amended to read as follows:

§ 1.21 *Time*—(a) *Computation.* In computing any period of time prescribed or allowed by these rules, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is Saturday, Sunday or a legal holiday in the District of Columbia, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. A half holiday shall not be considered as a holiday. (24 Stat. 385, 25 Stat. 861, 40 Stat. 270, 41 Stat. 492, 47 Stat. 1368, 49 Stat. 546, 548, 52 Stat. 1237, 54 Stat. 913, 923, 933, 56 Stat. 285; 49 U.S.C. and Sup. 17, 304 (a) (6), 305, 904 (a), and 1003 (a))

It is further ordered, That notice be given by depositing a copy hereof in the office of the Secretary of the Commission, Washington, D. C., and by filing with the Division of the Federal Register.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-16388; Filed, Aug. 31, 1945; 11:35 a. m.]

[2d Rev. S. O. 104]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR FOR BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of August, A. D. 1945.

It appearing, that the practice of transporting refrigerator cars empty from the East to certain western States diminishes the use, control and supply of such cars, and that the loading of these cars in lieu of box cars will reduce the shortage of such cars; in opinion of the Commission an emergency requiring immediate action exists in the western section of the country. It is ordered, that:

Substitution of refrigerator cars for box cars. (a) (1) Any common carrier by railroad subject to the Interstate Commerce Act transporting

(i) westbound shipments in carloads originating at points shown as origin points in Agent L. E. Kipp's tariffs, I. C. C. Nos. 1492 and 1493, supplements thereto or reissues thereof, destined to points in the States of California, southern Idaho (on the Union Pacific main and branch lines across southern Idaho, including the line from Pocatello to the Montana-Idaho State line and the branches north of Blackfoot, Idaho), Arizona, Nevada, or Utah, or

(ii) westbound shipments in carloads originating at points in the State of Utah and destined to points in the States of California or Nevada,

shall, when freight to be transported is suitable, and facilities are suitable, for loading in RS type refrigerator cars and when such refrigerator cars are reasonably available, furnish and transport not more than three (except as provided in paragraph (a) (2) hereof) such refrigerator cars in lieu of each box car ordered, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car.

(a) (2) On shipments on which the carload minimum weight varies with the size of the car:

(i) Two (2) of the said refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length 40'7" or less, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered;

(ii) Three (3) of the said refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length of over 40'7" but not over 50'7", subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(b) *Tariff provisions suspended; announcement required.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(c) *Application of other orders.* Third Revised Service Order No. 180, shall not apply on cars utilized pursuant to the provisions of this order; and the provisions of Service Order No. 68, as amended, and all other orders of the Commission, insofar as they conflict with this order are hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a. m., September 2, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, that Revised Service Order No. 104, as amended, be superseded and vacated on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-16387; Filed, Aug. 31, 1945; 11:35 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 6A, as Amended, Revocation of Supplementary Orders]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LOCAL CARRIERS OF PROPERTY COLLECTION AND DELIVERY—LOCAL CARTAGE SERVICE

Pursuant to Executive Orders 8989, as amended, and 9156, it is hereby ordered, that the following described orders supplementary to General Order ODT 6A, as amended (8 F.R. 8757, 9 F.R. 2794), be, and they are hereby, revoked, effective November 1, 1945:

Supplementary Orders ODT 6A–1 (8 F.R. 11096), 6A–2 (8 F.R. 13077), 6A–3 (8 F.R. 16000), 6A–4 (8 F.R. 16000), 6A–5 (8 F.R. 16001), 6A–6 (8 F.R. 16001), 6A–7 (8 F.R. 16039), 6A–8 (8 F.R. 16040), 6A–9, as amended (8 F.R. 16002, 10 F.R. 5544), 6A–10 (8 F.R. 16040), 6A–11 (8 F.R. 16079), 6A–12 (8 F.R. 16757), 6A–13, as amended (8 F.R. 16757, 10 F.R. 5544), 6A–14 (8 F.R. 16946), 6A–15 (8 F.R. 17380), 6A–16 (9 F.R. 3359), 6A–17 (9 F.R. 3360), 6A–18 (9 F.R. 3361), 6A–19, as amended (9 F.R. 3406, 9756), 6A–20 (9 F.R. 3407), 6A–21 (9 F.R. 3408, 11291), 6A–22 (9 F.R. 3601), 6A–23 (9 F.R. 3602), 6A–24 (9 F.R. 3750), 6A–25 (9 F.R. 3672), 6A–26 (9 F.R. 4669), 6A–27 (9 F.R. 5854), 6A–28 (9 F.R. 6475), 6A–29 (9 F.R. 6476), 6A–30 (9 F.R. 6928), 6A–31 (9 F.R. 9069), 6A–32 (9 F.R. 9309), 6A–33 (9 F.R. 9310), 6A–34 (9 F.R. 9311), 6A–35 (9 F.R. 9311), 6A–36 (9 F.R. 9312), 6A–37 (9 F.R. 9312), 6A–38 (9 F.R. 10273), 6A–39 (9 F.R. 10273), 6A–40, as amended (9 F.R. 10274, 10 F.R. 3705), 6A–41 (9 F.R. 10438), 6A–42 (9 F.R. 10605), 6A–43 (9 F.R. 10891), 6A–44 (9 F.R. 10892), 6A–45 (9 F.R. 11291), 6A–46 (9 F.R. 11376), 6A–47 (9 F.R. 11291), 6A–48 (9 F.R. 12299), 6A–49 (9 F.R. 12388), 6A–50 (9 F.R. 12389), 6A–51 (9 F.R. 12390), 6A–52 (9 F.R. 12390), 6A–53 (9 F.R. 12479), 6A–54 (9 F.R. 12665), 6A–55 (9 F.R. 12480), 6A–56, as amended (9 F.R. 12665, 10 F.R. 4942), 6A–57 (9 F.R. 12666), 6A–58 (9 F.R. 12934), 6A–59 (9 F.R. 12760), 6A–60 (9 F. R. 12872), 6A–61 (9 F.R. 13963), 6A–62 (9 F.R. 13998), 6A–63 (9 F.R. 13999), 6A–64 (9 F.R. 14370), 6A–65 (9 F.R. 14660), 6A–66 (9 F.R. 14661), 6A–67 (9 F. R. 14370), 6A–68 (9 F.R. 14863), 6A–69 (9 F.R. 14662), 6A–70 (9 F.R. 14662), 6A–71 (9 F.R. 14864), 6A–72 (9 F.R. 14742), 6A–73 (9 F.R. 14743), 6A–74 (9 F.R. 15012), 6A–75, as amended (9 F.R. 14744, 10 F.R. 5544), 6A–76 (9 F.R. 14663), 6A–77 (9 F.R. 14865), 6A–78 (9 F.R. 14865), 6A–79 (9 F.R. 14664), 6A–80 (9 F.R. 14744), 6A–81 (10 F.R. 906), 6A–82 (9 F.R. 14866), 6A–83 (10 F.R. 354), 6A–84 (10 F.R. 354), 6A–85 (10 F.R. 421), 6A–86, as amended (10 F.R. 907, 5144), 6A–87 (10 F.R. 907), 6A–88 (10 F.R. 1109), 6A–89 (10 F.R. 1297), 6A–90 (10 F.R. 1833), 6A–91 (10 F.R. 2544), 6A–92 (10 F.R. 2198), 6A–93 as amended (10 F.R. 2051, 7352), 6A–94 (10 F.R. 3072), 6A–95 (10 F.R. 3573), 6A–96 (10 F.R. 3374), 6A–97 (10 F.R. 3375), 6A–98 (10 F.R. 3573), 6A–99 (10 F.R. 3705), 6A–100 (10 F.R. 3706), 6A–101 (10 F.R. 3707), 6A–102 (10 F.R. 3885), 6A–103 (10 F.R. 4214), 6A–104 (10 F.R. 3990), 6A–105 (10 F.R. 4374), 6A–106 (10 F.R. 3991), 6A–107 (10 F.R. 3992), 6A–108 (10 F.R. 4215), 6A–109 (10 F.R. 4679), 6A–110 (10 F.R. 4216), 6A–111 (10 F.R. 4374), 6A–112 (10 F.R. 4375), 6A–113 (10 F.R. 4216), 6A–114 (10 F. R. 5699), 6A–115 (10 F.R. 5699), 6A–116 (10 F.R. 4680), 6A–117 (10 F.R. 5700), 6A–118 (10 F.R. 5700), 6A–119 (10 F.R. 5701), 6A–120 (10 F.R. 5702), 6A–121 (10 F.R. 5971), 6A–122 (10 F.R. 6262), 6A–123 (10 F.R. 6262), 6A–124 (10 F.R. 5972), 6A–125 (10 F.R. 6263), 6A–126 (10 F.R. 6263), 6A–127 (10 F.R. 6264), 6A–128 (10 F.R. 6265), 6A–129 (10 F.R. 6265), 6A–130 (10 F.R. 6327), 6A–131 (10 F.R. 5972), 6A–132 (10 F.R. 6328), 6A–133 (10 F.R. 6329), 6A–134 (10 F.R. 6329), 6A–135 (10 F.R. 7739), 6A–136 (10 F.R. 7739), 6A–137 (10 F.R. 7352), 6A–138 (10 F.R. 8247), 6A–139 (10 F.R. 8248), 6A–140 (10 F.R. 8248), 6A–141 (10 F.R. 8488), 6A–142 (10 F.R. 8917), 6A–143 (10 F.R. 8917), 6A–144 (10 F.R. 9245), 6A–145 (10 F.R. 10322), 6A–146 (10 F.R. 10322), 6A–147 (10 F.R. 10323), and 6A–148 (10 F.R. 10324).

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 31st day of August 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-16375; Filed, Aug. 31, 1945; 11:24 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

UTAH

MODIFYING DEPARTMENTAL ORDER TO PERMIT OIL AND GAS LEASES

The Departmental order of September 26, 1933, temporarily withdrawing certain lands as a grazing reserve for the Uncompahgre Ute Indians and white stockmen, under the authority of section 4 of the act of March 3, 1927 (44 Stat. 1347), is hereby modified solely for the purpose of permitting the issuance of oil and gas leases under the provisions of the act of February 25, 1920 (41 Stat. 437, 30 U.S.C. secs. 181 et seq.) as amended, granting the right to prospect for, mine and remove oil and gas from the following lands, and to use such part of the surface as may be needed for operations under such leases:

SALT LAKE MERIDIAN

Tps. 8 to 11 S., R. 17 E.
Tps. 12 to 15 S., R. 17 E., partly unsurveyed,
  Those parts lying west of Green River.
Tps. 8 and 9 S., R. 18 E.
Tps. 10 to 13 S., R. 18 E., partly unsurveyed,
  Those parts lying west of Green River.
Tps. 6, 7, and 8 S., R. 19 E.
Tps. 9 and 10 S., R. 19 E.,
  Those parts lying west of Green River.
Tps. 6 and 7 S., R. 20 E.
T. 8 S., R. 20 E.,
  Secs. 1 to 6, inclusive, and secs. 8, 9, and 10;
  Sec. 11, lots 2, 3, 6, 7, W½, and W½SE¼;
  Secs. 14 to 17, inclusive;
  Sec. 21, lots 1 to 5, inclusive, NE¼NE¼ and W½NE¼;
  Sec. 22, lots 1 to 4, inclusive, and N½N½;
  Sec. 23, lots 2 to 5, inclusive, and N½NW¼.
T. 10 S., R. 20 E.,
  Secs. 11 to 14, secs. 23 to 26, and secs. 35 and 36.
T. 11 S., R. 20 E.,
  Sec. 1;
  Sec. 2, lots 1 to 4, inclusive, S½N½, N½S½, and SE¼SE¼;
  Sec. 3, lots 1, 2, and SE¼NE¼;
  Sec. 12, N½, E½SW¼, and SE¼;
  Sec. 13, NE¼, E½NW¼, and S½;
  Sec. 23, E½NE¼ and SE¼;
  Secs. 24 and 25;
  Sec. 26, E½;
  Sec. 35, E½;
  Sec. 36.
T. 12 S., R. 20 E.,
  Sec. 1;
  Sec. 2, E½;
  Sec. 6, lot 7;
  Sec. 7, SW¼NE¼, W½, and SE¼;
  Sec. 8, SW¼SW¼;
  Sec. 11, E½NE¼, SW¼NE¼, E½SW¼, and SE¼;
  Secs. 12, 13, and 14;
  Sec. 15, E½NE¼ and SE¼;
  Sec. 17, W½NW¼, SW¼, and SW¼SE¼;
  Secs. 18, 19, and 20;
  Sec. 21, W½NW¼, SE¼NW¼, and S½;
  Secs. 22 to 36, inclusive.
T. 13 S., R. 20 E.,
  Secs. 1 to 18, inclusive;
  Sec. 19, N½NE¼ and SE¼NE¼;
  Sec. 20, N½, N½SW¼, and SE¼;
  Secs. 21 to 27, inclusive;
  Sec. 28, NE¼, N½NW¼, and NE¼SE¼;
  Secs. 34, 35, and 36.
T. 14 S., R. 20 E.,
  Secs. 1, 2, and 3;
  Sec. 10, N½, E½SW¼, and SE¼;
T. 14 S., R. 20 E.—Continued.
  Secs. 11 to 14, inclusive;
  Sec. 15, E½ and E½W½;
  Sec. 22, E½ and E½W½;
  Sec. 23;
  Sec. 24, N½NE¼, SW¼NE¼, NW¼, and W½SW¼;
  Sec. 26, NE¼, N½NW¼, and SE¼NW¼;
  Sec. 27, N½NE¼ and W½W½;
  Sec. 28, SE¼NE¼ and NE¼SE¼.
Tps. 6 and 7 S., R. 21 E.
T. 8 S., R. 21 E., partly unsurveyed,
  Secs. 1 to 6, inclusive.
T. 10 S., R. 21 E.,
  Secs. 7 to 36, inclusive.
Tps. 11, 12, and 13 S., R. 21 E.
T. 14 S., R. 21 E.,
  Secs. 1 to 17, inclusive;
  Sec. 18, NE¼, W½, and E¼SE¼;
  Sec. 19, lot 1 and NE¼NW¼;
  Sec. 21, NE¼NW¼ and E½;
  Secs. 22 to 27, inclusive;
  Sec. 28, NE¼ and S½;
  Secs. 33 to 36, inclusive.
T. 15 S., R. 21 E.,
  Secs. 1 to 5, inclusive;
  Sec. 6, lot 1, SE¼NE¼, and E½SE¼;
  Sec. 7, E½E½;
  Secs. 8 to 17, inclusive;
  Sec. 18, E½NE¼ and SE¼;
  Secs. 19 to 36, inclusive.
Tps. 6 and 7 S., R. 22 E., partly unsurveyed.
T. 8 S., R. 22 E.,
  Secs. 1 to 6, secs. 9 to 16, secs. 21 to 28, and secs. 33 to 36, inclusive.
T. 9 S., R. 22 E.,
  Secs. 1 to 4, inclusive;
  Sec. 11, N½;
  Secs. 12 and 13;
  Sec. 20, S½SE¼;
  Sec. 21, SW¼SW¼;
  Secs. 24, 25, and 26;
  Sec. 27, S½SW¼ and SE¼;
  Sec. 28, W½W½, SE¼SW¼, and S½SE¼;
  Sec. 29, NE¼, E½NW¼, and S½;
  Sec. 30, SE¼SE¼;
  Sec. 31, NE¼, E½SW¼, and SE¼;
  Secs. 32 to 36, inclusive.
Tps. 10 to 15 S., R. 22 E.
Tps. 6 to 15 S., R. 23 E.
Tps. 7 to 15 S., R. 24 E.
Tps. 7 to 15 S., R. 25 E.
Tps. 13, 14, and 15 S., R. 26 E.

The areas described, including both public and non-public lands, aggregate approximately 1,350,000 acres.

AUGUST 24, 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-16287; Filed, Aug. 30, 1945; 4:35 p. m.]

Solids Fuel Administration for War.

BITUMINOUS COAL

SHIPMENTS TO RETAIL DEALERS ENTITLED TO ONE OR TWO CARS

I have been informed that some producers and wholesalers are delaying shipments of bituminous coal to those retail dealers who normally purchase from them only one or two cars of coal during the fuel year.

It is obvious that retail dealers dependent upon such shipments must obtain this coal sufficiently in advance of the heating season to enable them to meet the requirements of their customers and to prevent hardship during the fall and early winter.

Accordingly, I urge every shipper, in so far as possible, to meet the orders of retail dealers entitled to one or two cars of bituminous coal by November 1, 1945.

Issued this 30th day of August 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-16378; Filed, Aug. 31, 1945; 11:22 a. m.]

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[P. & S. Docket 143]

MARKET AGENCIES AT OMAHA UNION STOCK YARDS

PETITION FOR MODIFICATION

By an order entered on November 19, 1926, pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture prescribed maximum reasonable rates and charges to be observed by the respondents. On July 29, 1941, the order of November 19, 1926, was temporarily modified, and as so modified, has been extended from time to time and is still in effect.

By a petition filed on August 23, 1945, the respondents have requested that the existing schedule of rates and charges prescribed by the order of July 29, 1941, as extended, be temporarily amended to include in said schedule of rates and charges the following:

EXTRA SERVICE CHARGE

When livestock upon which a livestock subsidy may be collected appears upon an account of sale rendered by a market agency, a charge of 50c shall be made for each entry appearing thereon covering livestock eligible for subsidy payment.

The effect of such proposed charges, if granted, would result in additional revenues to the respondents and, therefore, public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of the petition for leave to apply such service charges.

All interested persons who desire to be heard upon the matter requested in said petition for modification shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 30th day of August 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator, Production and Marketing Administrator.

[F. R. Doc. 45-16365; Filed, Aug. 31, 1945; 11:07 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 865 et al.]

ALASKA AIRLINES, INC., ET AL.

NOTICE OF HEARING

In the matter of the applications of Alaska Airlines, Inc., et al., for certificate and amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 4, 1945, in Bethel, Alaska, before examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 20, 1945.

By the Civil Aeronautics Board.

[SEAL] RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 45-16360; Filed, Aug. 31, 1945; 10:55 a. m.]

[Docket No. 1309]

WALATKA AIR SERVICE, ET AL.

NOTICE OF HEARING

In the matter of the applications of Walatka Air Service et al. for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and for an exemption from the provisions of section 401 of the act.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above entitled proceeding is assigned to be held on September 12, 1945, at 10:00 a. m., in the office of the Civil Aeronautics Board, Anchorage, Alaska, before examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 20, 1945.

By the Civil Aeronautics Board.

[SEAL] RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 45-16361; Filed, Aug. 31, 1945; 10:55 a. m.]

[Docket No. 1835]

NORTHERN AIRWAYS

NOTICE OF HEARING

In the matter of the application of Northern Airways for permanent and/or temporary certificate or certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, particularly sections 401 and 1001 of said act that a hearing in the above-entitled proceeding is assigned to be held on September 29, 1945, at 10:00 a. m., in Fairbanks, Alaska, before Examiners R. W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 20, 1945.

By the Civil Aeronautics Board.

[SEAL] RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 45-16362; Filed, Aug. 31, 1945; 10:55 a. m.]

[Docket No. 1965]

RAY PETERSEN FLYING SERVICE

NOTICE OF HEARING

In the matter of the application of Raymond I. Petersen, Marie Antoinette Petersen and Glen Dillard, a partnership, doing business as Ray Petersen Flying Service, for approval of the transfer of a certificate of public convenience and necessity pursuant to sections 401 (i) and 408 (a) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 19, 1945, at 10:00 a. m., in the office of Civil Aeronautics Board, Anchorage, Alaska, before examiners Raymond W. Stough and Joseph L. Fitzmaurice.

Dated: Anchorage, Alaska, August 20, 1945.

By the Civil Aeronautics Board.

[SEAL] RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 45-16363; Filed, Aug. 31, 1945; 10:55 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5169]

JITSUMI MANZOKU

In re: Estate of Jitsumi Manzoku, deceased, File D-39-18373; E. T. sec. 13770; H-331.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Yone Manzoku in and to the Estate of Jitsumi Manzoku, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Mrs. Yone Manzoku, Japan.

That such property is in the process of administration by John V. Cockett, as Statutory Administrator, acting under the judicial supervision of the Circuit Court, Second Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 30, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-16291; Filed, Aug. 31, 1945; 10:08 a. m.]

[Vesting Order 5178]

TSUCHIYOSHI HANADA

In re: Estate of Tsuchiyoshi Hanada, deceased, File D-39-18364; E. T. sec. 13375; H-317.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Noboru Hanada in and to the Estate of Tsuchiyoshi Hanada, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Noboru Hanada, Japan.

That such property is in the process of administration by Iseko Ochiai, as Administratrix of the Estate of Tsuchiyoshi Hanada, acting under the judicial supervision of the Circuit Court, Second Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16292; Filed, Aug. 31, 1945; 10.08 a. m.]

[Supplemental Vesting Order 5183]

J. S. MIWA & CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 2783, dated December 15, 1943 that J. S. Miwa & Company, Ltd. and J. S. Miwa are nationals of a designated enemy country (Japan);

2. Finding that of the outstanding capital stock of J. S. Miwa & Company, Ltd., a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 826 shares of capital stock having a par value of $100 a share, 24 shares, registered in the name of Shigeru Nakata, are beneficially owned by J. S. Miwa and are evidence of an interest in said business enterprise;

3. Finding that J. S. Miwa has a claim against J. S. Miwa & Company, Ltd., which is represented on the books and records of J. S. Miwa & Company, Ltd., as an account payable, in the amount of $1,038.81 as of December 31, 1944, subject to any accruals or deductions thereafter, and which represents an interest in J. S. Miwa & Company, Ltd.;

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 24 shares of $100 par value capital stock of J. S. Miwa & Company, Ltd., registered in the name of Shigeru Nakata, more fully described in subparagraph 2 hereof, including all declared and unpaid dividends thereon, and the interest of J. S. Miwa in J. S. Miwa & Company, Ltd., more fully described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16293; Filed, Aug. 31, 1945; 10:08 a. m.]

[Supplementing Vesting Order 5185]

CHARLES T. KLEIN

In re: Trust under the Will of Charles T. Klein, deceased, file No. D–28–2547; E.T. sec. 4920.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the domiciliary personal representatives, heirs next of kin, legatees, and distributees, names unknown of, Elsie Yoschkowitz, also known as Elise Joschkowitz, deceased, and each of them, in and to the trust created under the Will of Charles T. Klein, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The domiciliary personal representatives, heirs, next of kin, legatees, and distributees, names unknown of, Elsie Yoschkowitz, also known as Elise Joschkowitz, Germany.

That such property is in the process of administration by the City Bank Farmers Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16294; Filed, Aug. 31, 1945; 10:08 a. m.]

[Supplemental Vesting Order 5186]

MARY ZUERCHER

In re: Estate of Mary Zuercher, deceased, File D–28–9590; E. T. sec. 13221.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $16,421.68 and all accretions thereon paid to the Board of Finance and Review of the Commonwealth of Pennsylvania pursuant to an adjudication of the Orphans' Court of Philadelphia County, Pennsylvania, dated May 25, 1945, and entered in the proceeding entitled Estate of Mary Zuercher, deceased (No. 639 of 1945), subject, however, to all lawful fees and disbursements of the Board of Finance and Review of the Commonwealth of Pennsylvania,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs-at-law and next-of-kin, names unknown, of Mary Zuercher, deceased, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16295; Filed, Aug. 31, 1945; 10:08 a. m.]

[Supplemental Vesting Order 5190]

KANEMATSU TRADING CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 189, dated September 28, 1942, that Kanematsu Trading Corporation is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Takamase Inoue has a claim against Kanematsu Trading Corporation, which is represented on the books and records of Kanematsu Trading Corporation as a bonus payable in the amount of $1,839.25, as of December 31, 1942, subject to any accruals or deductions thereafter and which represents an interest in Kanematsu Trading Corporation;

3. Finding that Takamase Inoue whose last known address is Japan is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Takamase Inoue in Kanematsu Trading Corporation, more fully described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16296; Filed, Aug. 31, 1945; 10:09 a. m.]

[Supplemental Vesting Order 5191]

K. SAMURA SHOTEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 172, dated September 28, 1942, that K. Samura Shoten, Limited, is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Mrs. T. Kurashita has a claim against K. Samura Shoten, Limited, which is represented on the books and records of K. Samura Shoten, Limited, as an account payable in the amount of $2,995.67 as of December 31, 1944, subject to any accruals or deductions thereafter, and which represents an interest in K. Samura Shoten, Limited;

3. Finding that Mrs. T. Kurashita whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining;

4. That to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Mrs. T. Kurashita, more fully described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Prop-

erty Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16297; Filed, Aug. 31, 1945; 10:09 a. m.]

[Vesting Order 5194]

GUSTAVE BASTHEIM

In re: Estate of Gustave Bastheim, deceased, and trust under the will of Gustave Bastheim, deceased, File D–28–8389; E. T. sec. 9709.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marga Kahn, and the heirs-at-law, names unknown, of Marga Kahn, and each of them, in and to the Estate of Gustave Bastheim, deceased, and in and to the trust created under the will of Gustave Bastheim, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marga Kahn, Germany.

Heirs-at-law, names unknown, of Marga Kahn, Germany.

That such property is in the process of administration by Nathan P. Balmuth, Louis E. Corbin, and Walter N. Kahn, as Executors, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pittsburgh, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–16298; Filed, Aug. 31, 1945; 10:09 a. m.]

OFFICE OF PRICE ADMINISTRATION

[MPR 389, Order 22]

ABRAMO RE, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 22 under section 2 (a) (6) of Maximum Price Regulation No. 389. Establishing maximum prices for sales of special mortadella without cereal by Abramo Re and all wholesalers, peddler-truck-sellers and intermediate distributors.

On July 19, 1945, Abramo Re, 40–52 Fulton Street, Boston, Massachusetts, filed an application for the establishment of maximum prices on sales of the sausage product known as Special Mortadella without cereal and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3–389–2 (a)–31.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as Special Mortadella without cereal and made by Abramo Re, 40–52 Fulton Street, Boston, Massachusetts, in accordance with the individual formula submitted to the Office of Price Administration with the application for this order except that beef from cutter and canner grade, or any grades higher than cutter and canner may be substituted for commercial grade boneless beef, and providing a yield not in excess of 95% is maintained, shall be determined by the seller as follows:

(1) The base price for this product is established at $30.50 per hundredweight.

NOTE: If sold not boxed, 50 cents per cwt. must be deducted from the above price.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for sausage which is not kosher sausage, all beef sausage or sausage containing meat and meat by-products from swine only. In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the *"Permitted additions to base prices"* provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Special Mortadella without cereal to a wholesaler, peddler truck seller, or intermediate distributor Abramo Re shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Special Mortadella without cereal have been established by the Office of Price Administration at the base price of $30.50 per hundredweight, to which may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Special Mortadella without cereal to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Special Mortadella without cereal have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

This Order No. 22 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F. R. 8419)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–16352; Filed, Aug. 31, 1945; 10:43 a. m.]

[MPR 120, Order 1450]

BLUE DIAMOND COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

CAWOOD COAL CO., INC., HARLAN, KY., CAWOOD MINE, KELLIOKA SEAM, MINE INDEX NO. 7473, HARLAN COUNTY KY., SUBDISTRICT 2, RAIL SHIPPING POINT: COTE, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5.

	Size-group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Price classification	Q	Q	Q	Q	L	L	K	H	F	D	E	K	K	K	N
Rail shipment	345	340	335	335	335	335	325	320	320	385	315	300	295	295	255
Railroad fuel	345	340	335	335	335	335	325	325	325	385	315	300	295	295	255
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----	-----

BLUE DIAMOND COAL CO., 615 TRANSPORTATION BLDG., CINCINNATI, OHIO, LEATHERWOOD MINE, LEATHERWOOD SEAM, MINE INDEX NO. 7300, PERRY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: LEATHERWOOD, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel	395	390	375	375	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

G. E. BUSKILL, HONAKER, VA., BUSKILL MINE, UPPER BANNER SEAM, MINE INDEX NO. 745', RUSSELL COUNTY, VA., SUBDIST. 7, RAIL SHIPPING POINT: HONAKER, VA., F. O. G. 20, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	F	C	E	D	K	K	K
Rail shipments and railroad fuel	365	365	360	360	360	350	330	330	330	385	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

THE LORADO COAL MINING CO., 33 N. HIGH ST., COLUMBUS 15, OHIO, LORADO NO. 5 MINE, UPPER CHILTON SEAM, MINE INDEX NO. 7458, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: SAUNDERS, W. VA., F. O. G. 150, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5.

Price classification	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	C	-----	-----	-----
Rail shipments and railroad fuel	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	315	-----	-----	-----
Truck shipment	-----	-----	-----	-----	-----	310	-----	-----	-----	-----	-----	-----	-----	-----

MARMET COAL CO., HERNSHAW, W. VA., MARMET NO. 3 MINE, WINIFREDE SEAM, MINE INDEX NO. 7469, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: MARMET, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	G	G	G	G	G	G	F	G	E	G	D	H	H	H
Rail and river shipments including railroad fuel	400	390	375	375	360	350	335	325	325	360	315	310	300	295
Truck shipment	420	400	365	365	335	315	275	270	-----	-----	-----	-----	-----	-----

VAN WINKLE & HAZELWOOD, C/O VIRGIL VAN WINKLE, MORRILL, KY., ABNEY MINE, HORSE CREEK SEAM, MINE INDEX NO. 7470, JACKSON COUNTY, KY., SUBDISTRICT 6, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

S. V. WILLIAMS, LOOKOUT, KY., WILLIAMS COAL CO. MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7472, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: HELLIER, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel [1]	380	375	365	365	360	350	330	330	330	385	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

[1] Subject to the provisions of Revised Order No. 1432 under MPR 120—above rail prices plus 50¢.

This order shall become effective August 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16252; Filed, Aug. 30, 1945; 11:25 a. m.]

[MPR 64, Order 187]

BORG-WARNER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 3 and 11 of Maximum Price Regulation No. 64, it is ordered:

(a) *Maximum prices.* This order establishes maximum prices for sales of the Model E-400 electric cooking ranges manufactured by the Norge Division, Borg-Warner Corporation, Detroit 26, Michigan as follows:

(1) For sales in each zone by wholesale distributors to retail dealers the maximum prices including the Federal excise tax are those set forth below:

Zone	Maximum prices to retail dealers who regularly purchase in—	
	Quantities of less than 5	Quantities of 5 or more
	Each	*Each*
1	$119.79	$115.35
2	122.29	117.75
3	123.54	118.95
4	124.36	119.73
5	125.42	120.75

These prices are f. o. b. wholesale distributor's city and are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retail dealers to ultimate consumers the maximum prices including the Federal excise tax but not including any local sales taxes are those set forth below:

Maximum prices for sales to ultimate consumers:	*Each*
Zone 1	$189.95
Zone 2	193.95
Zone 3	195.95
Zone 4	197.25
Zone 5	198.95

These prices include delivery, installation with connection to the electric facilities provided by the purchaser, and a one year warranty. If the retailer does not provide installation he shall compute his maximum price by subtracting $3.50 from the maximum price as stated above for his sales on an installed basis. The seller may not, however, require the purchaser to accept installation as a condition of sale. In all other respects these prices are subject to each seller's customary terms, discounts, allowance and

other price differentials in effect on sales of similar articles.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) *Labelling.* The manufacturer prior to shipping any range covered by this order to a purchaser for resale shall attach to the outside panel of the oven door of each range a label showing the manufacturer, the model number of the range, its OPA retail ceiling price in each zone, and a statement that a map showing the zone limits is on file with the Office of Price Administration. The label shall also include a statement that the ceiling price shown on the label includes the Federal excise tax, delivery, installation with connection to the electric facilities provided by the purchaser, and a one year warranty. The label shall also state that the ceiling price is subject to a deduction of $3.50 if the retail seller does not provide installation. This label may not be removed until after the range has been sold to an ultimate consumer.

(d) *Zones.* For purposes of this order Zones 1, 2, 3, 4, and 5 comprise the areas of the continental United States marked on the map of the United States furnished to the Office of Price Administration by the manufacturer. This map is hereby incorporated herein by reference. Copies of the map are on file with the Secretary of the Office of Price Administration in Washington, D. C., as well as with each Regional and District Office of the Office of Price Administration. These maps are open for inspection by the public.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 31st day of August 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16251; Filed, Aug. 30, 1945; 11:26 a. m.]

[MPR 120, Order 1451]

DILLEY MINING CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 7. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

DILLEY MINING CO., OAK HILL, W. VA., DILLEY MINE, SEWELL SEAM, MINE INDEX NO. 1014, FAYETTE COUNTY, W. VA., SUBDISTRICT 2, RAIL SHIPPING POINT, OAK HILL, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	B	A	A	A	A	A	A	B	B	B
Rail shipment	425	475	440	385	375	410	380	350	345	340
Truck shipment	495	415	445	380	365	360	------	------	------	------

VERA POCAHONTAS COAL CO., HARTMAN BLDG., COLUMBUS, OHIO, VERA NO. 3 MINE, POCHANOTAS NO. 3 SEAM, MINE INDEX NO. 211,[1] MCDOWELL COUNTY, W. VA., SUBDISTRICT 3, RAIL SHIPPING POINT, VIVIAN, W. VA., DEEP MINE.

Price classification	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Rail shipment	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Truck shipment	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

Refuse coal, 205.

Railroad locomotive fuel: For the following mine index No. 1014:

Any single-screened lump or double-screened coals	395
Run of mine	380
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0	365
Screenings 1¼" x 0 and smaller	340

[1] Railroad locomotive.
* Previously established.

The maximum prices listed in this order include the increases where authorized by amendment No. 146 to MPR 120 which became effective August 3, 1945.

This order shall become effective August 31, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16253; Filed, Aug. 30, 1945; 11:25 a. m.]

[MPR 120, Order 1452]

YARBROUGH & POGAN, ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 18. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.229 and all other provisions of Maximum Price Regulation No. 120.

YARBROUGH & POGAN, c/o W. C. YARBROUGH, OLD ALBUQUERQUE, NEW MEXICO, SAN LUIS MINE, UNIDENTIFIED SEAM, MINE INDEX NO. 1006, SANDOVAL COUNTY, NEW MEXICO, DEEP MINE, SUBDISTRICT NO. 3 FOR TRUCK SHIPMENT

	Size group Nos.						
	2	8	9	11	13	14	15
Truck shipment	583	518	418	368	318	568	543

CLARENCE HOBSON, c/o CLAYTON DAVIDSON, MINE FOREMAN FOR NAVAJO SERVICE, SHIPROCK, N. MEX., NO. 14 MINE, NO. 1 OR HOGBACK NO. 1 SEAM, MINE INDEX NO. 1009, SAN JUAN COUNTY, NEW MEXICO, DEEP MINE, SUBDIST. NO. 10 FOR TRUCK SHIPMENT

	Size group Nos.						
	1	2	8	9	10	11	15
Truck shipment	593	543	418	393	343	318	443

The maximum prices listed in this order include the increase in maximum prices where authorized by Amendment No. 146 to MPR 120 which became effective August 3, 1945.

This order shall become effective August 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16254; Filed, Aug. 30, 1945; 11:25 a. m.]

[MPR 188, Order 4360]

CAR-MAX MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of juice presses manufactured by the Car-Max Manufacturing Company of 16–24 Eighth Street, Minneapolis, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Distributors	Wholesalers (jobbers)	Retailers	Consumers
Juice press	3	*Each* $2.32	*Each* $2.57	*Each* $3.21	*Each* $5.35

These maximum prices are for the articles described in the manufacturer's application dated August 10, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the correct model number and retail prices properly filed in:

Model No. _____
OPA Retail Ceiling Price $_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of August 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16255; Filed, Aug. 30, 1945; 11:27 a. m.]

[MPR 210, Rev. Order 6]

ECONOMASTER PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1372.101 of Maximum Price Regulation No. 210; *It is ordered:*

Order No. 6 under § 1372.101 of Maximum Price Regulation No. 210 is amended and revised as follows:

(a) This revised order establishes maximum prices for all sales at wholesale and retail of the Model D "Economaster" heater manufactured by Economaster Products Company, 117 Ninth Avenue North, Nashville, Tennessee, as follows:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (12 units or more)	Retailers (less than 12 units)	Consumers
Economaster electric heater	D	*Each* $4.75	*Each* $5.95	*Each* $6.20	*Each* $9.95

These maximum prices apply to all sales and deliveries on or after August 20, 1945. They include Federal Excise Tax. In all other respects, these prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales at wholesale and retail. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 31st day of August 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16256; Filed, Aug. 30, 1945; 11:26 a. m.]

[Rev. Supp. Order 99,[1] Order 14]

GRIFFIN KNITTING MILLS, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by Griffin Knitting Mills, Inc.* (1) On and after August 31, 1945, Griffin Knitting Mills, Inc., Griffin, Georgia, may sell and deliver to any wholesaler, and any wholesaler may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Griffin Knitting Mills, Inc., at prices not in excess of the following adjusted ceiling prices:

Style	Description	Adjusted ceiling price
139	Men's union suit, peeler, rib knit, napped, made of 18/1 carded yarn (purchased from Gate City Cotton Mills, East Point, Georgia), finished weight 10 pounds per dozen, based on size 42, regular sizes	*Per dozen* $8.44
253	Men's union suit, ecru, rib knit, napped, made of 14/1 carded yarn (purchased from Gate City), finished weight 12 pounds per dozen, based on size 42, regular sizes	9.73
453	Men's union suit, ecru, rib knit, napped, made of 12/1 carded yarn (purchased from Gate City), finished weight 14 pounds per dozen, based on size 42, regular sizes	10.70½
253B	Boy's union suit, ecru, rib knit, napped, made of 16/1 carded yarn (purchased from Gate City), finished weight 6¾ pounds per dozen, based on size 12, regular sizes	6.28

(2) The adjusted ceiling prices set forth in paragraph (1) above are subject to terms of net 10–30 and to all allowances, price differentials and other trade practices, including practices relating to shipping and the payment of shipping charges, customarily used by Griffin Knitting Mills, Inc., during the period from July 15, 1941, to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(b) *Ceiling prices for sales at wholesale.* (1) On and after August 31, 1945, the ceiling price for a sale at *wholesale* of the garments enumerated in paragraph (a) of this order, shipped to the seller by Griffin Knitting Mills, Inc., on or after that date shall be determined in the following manner:

(i) The wholesaler shall first find his "cost base" for the garment being priced from the following table:

Style No.:	*Cost base (per dozen)*
139	$7.50
253	8.62½
453	9.50
253B	5.75

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup" determined in accordance with the appropriate rule set forth in subparagraph

[1] 10 F.R. 6796, 8657.

(3) of § 1372.102 (b) of Maximum Price Regulation 210.

(iii) The wholesaler will then add to the amount found in (ii), immediately above, the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price for the garment being priced.

Style No.:	*Amount that wholesaler may add to his price per dozen*
139	$0.70½
253	.82½
453	.90
253B	.40

(2) The ceiling prices established for sales at wholesale in this paragraph are subject to all discounts, allowances, price differentials and other trade practices which the wholesaler used during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) *Statement which Griffin Knitting Mills Inc. must send to wholesalers.* (1) on and after August 31, 1945, Griffin Knitting Mills Inc. shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO WHOLESALERS OF ADJUSTED CEILING PRICES

The OPA has adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 14, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210). You then find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	Column A Griffin's adjusted ceiling price	Column B "Cost Base" to which wholesaler applies "initial percentage markup"	Column C Amount of adjustment which wholesaler may add
	Per dozen	*Per dozen*	*Per dozen*
139	$8.44	$7.50	$0.70½
253	9.73	8.62½	.82½
453	10.70½	9.50	.90
253B	6.28	6.28	.40

Please note that, as a wholesaler, you are required by the OPA to transmit to each retailer to whom you deliver any of the garments listed above on or after August 31, 1945, a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: *In Column A* you shall list the ceiling prices of the particular styles being shipped which were in effect for you under Maximum Price Regulation 210 prior to the date of this order. *In Column B* you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. *In Column C* you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, *when properly completed by you,* is to be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by you to your retailer customers of the styles shipped to you by us.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration, pursuant to Order No. 14, issued under Revised Supplementary Order 99, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after , 1945:

Style No.	Column A Our old ceiling price	Column B Our new ceiling price	Column C Our OPA adjustment charge (difference between old and new ceiling price
	Per dozen	*Per dozen*	*Per dozen*
139			
253			
453			
253B			

Please note that the OPA has ruled that you must price those garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments the OPA has ruled that you must use as your "net cost" under MPR 580 or your "cost base" under MPR 210 the amount set forth in Column A above. You *may not,* in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling price for these garments under either of these regulations.

(2) The statement required to be sent by Griffin Knitting Mills Inc. to its wholesalers, as provided in this paragraph (c), and containing the information applicable to the styles of garments included in the particular shipment shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by Griffin Knitting Mills Inc. of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which the Griffin Knitting Mills Inc. is permitted an adjustment of its ceiling price under this order, shall be sent by Griffin Knitting Mills Inc. in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) *Statement which wholesalers must send to their retailers.* Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from Griffin Knitting Mills Inc., after August 31, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these garments on or after August 31, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" contained in the form of "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to wholesalers by Griffin Knitting Mills Inc. under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjustment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after August 31, 1945 of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for garments, determined in accordance with paragraph (b) of this order. In Column C he shall list the difference between the amounts in Column A and Column B for the respective styles.

(e) *Garments to which the provisions of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by Griffin Knitting Mills Inc. on or after August 31, 1945, and before November 1, 1945.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 30, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16268; Filed, Aug. 30, 1945; 11:26 a. m.]

[MPR 260, Order 1790]

PEDRO SANTIAGO FLORES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Pedro Santiago Flores, 312 Comerio St., Bayamon, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
P. Santiago Flores.	Tropicales	50	$64	8
	Perfecto Figured.	50	72	9
Columbus	SmoothCrown	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing

differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16257; Filed, Aug. 30, 1945; 11:29 a. m.]

[MPR 260, Order 1791]

NEPO GUTIERREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Nepo Gutierrez, Calle Mejias No. 27, Yanco, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Nepo Gutierrez	Brevas	50	$24	3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16258; Filed, Aug. 30, 1945; 11:28 p. m.]

[MPR 260, Order 1792]

RAMON ARZUAGA GARCIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramon Arzuaga Garcia, Federilo Sellis Street, San Lorenza, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Margarita	Coronas	50	$75	10
	Coronitas	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by

§ 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16259; Filed, Aug. 30, 1945; 11:29 a. m.]

[MPR 260, Order 1793]

DEMETRIO E. VALDES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Demetrio E. Valdes, Bo. Rio Canas, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Central Cigar	Breva	50	$44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16260; Filed, Aug. 30, 1945; 11:30 a. m.]

[MPR 260, Order 1794]

JOHN WAGNER & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) John Wagner & Sons, 233 Dock St., Philadelphia 6, Pa. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Punch	Best Values	50	$190	25
Belinda	Best Values	25	195	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shal become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16261; Filed, Aug. 30, 1945; 11:28 p. m.]

[MPR 260, Order 1795]

CUESTA REY & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cuesta Rey and Company, 2416 N. Howard Avenue, Tampa 6, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Unica	Yanks	50	$72	9
Cuesta-Rey	Aces	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16262; Filed, Aug. 30, 1945; 11:29 a. m.]

[MPR 260, Order 1796]

PACKER BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Packer Bros., 318 W. 47th St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Quintero	Petit	25	*Per M* $114	*Cents* 15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16263; Filed, Aug. 30, 1945; 11:28 a. m.]

[MPR 580, Order 108]

BEN GREENBERG & BROTHER

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 108, establishing ceiling prices at retail for certain articles, Docket No. 6063-580-13-198.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Ben Greenberg & Brother, 2911 South La Salle Street, Chicago 16, Illinois, having the brand name "Charm Tred," and described in the manufacturer's application dated May 15, 1945:

SHAGRUGS AND SETS

Style No.	Size	Ceiling price at retail
100	26" round	$2.95
101	29" round	3.95
102	33" round	4.95
110	18 x 34" oblong	2.95
111	24 x 36" oblong	3.95
112	24 x 48" oblong	5.95
114	34 x 54" oblong	9.95
4X6	48 x 72" oblong	19.95
120	18 x 34" oval	2.95
121	24 x 36" oval	3.95
122	24 x 48" oval	5.95
123	34 x 54" oval	9.95
820	18 x 34" shag bath set	3.29
821	24 x 36" shag bath set	4.49

BOUCLE RUGS

221	24 x 36" oval boucle rug	$4.95
222	24 x 48" oval boucle rug	7.95
223	36 x 60" oval boucle rug	14.95

BATH SETS

240	24 x 36" embroidered set	$4.95
240A	24 x 36" embroidered rug	3.95
622	24 x 48" embroidered rug	4.95
623	34 x 54" embroidered rug	6.95

TWINTONE RUGS

321	24 x 36" twintone rug	$4.95
322	24 x 48" twintone rug	7.95
323	36 x 60" twintone rug	14.95

RUFF CORD

711	24 x 36" ruff cord rug	$4.25
712	24 x 48" ruff cord rug	6.95
714	34 x 54" ruff cord rug	9.95

(b) The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by paragraph (a) shall

be the retail ceiling price listed for that other article in paragraph (a).

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after September 15, 1945, Ben Greenberg & Brother must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—$------

On and after October 15, 1945, no retailer may offer to sell the article unless it is marked or tagged in the form stated above. Prior to October 15, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16266; Filed, Aug. 30, 1945; 11:27 a. m.]

[MPR 260, Order 1797]

SERGIO PARRA PEREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Sergio Parra Perez, 32-40 Kingsbridge Ave., The Bronx 63, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Sol	Coronas	25	$385.00	55
	Fancy	25	350.00	50
	Especial Club	25	290.00	38
	Petit Coronas	25	249.75	35
	Perfectos	25	246.25	33
	Americans	25	212.25	28
	Belvederes	25	203.50	28
	Londres	25	212.25	28
	Cadetes	50	161.50	20
	Casinos	50	145.00	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class the purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16264; Filed, Aug. 30, 1945; 11:28 a. m.]

[Order 72 Under 3 (e)]

GOODYEAR TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *Applicability of this order.* This order applies to all sales of Army rejected 10-man pneumatic boats manufactured by the Goodyear Tire and Rubber Company, Akron, Ohio.

(b) *Maximum prices.* The maximum prices for sales of the commodity described in paragraph (a) of this order are as follows:

	Each
To dealers	$299.32
At retail	525.84

(c) *Notification of maximum prices.* With or prior to the first delivery of the pneumatic boat described in paragraph (a) to a dealer, the seller shall give the purchaser a written notice of the maximum retail price applicable thereto as established by paragraph (b) of this order.

(d) All provisions of the General Maximum Price Regulation that are not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16317; Filed, Aug. 31, 1945; 10:42 a. m.]

[Supp. Order 94, Rev. Order 70]

RECONSTRUCTION FINANCE CORP., ET AL.

SPECIAL MAXIMUM PRICES FOR ELECTRIC GENERATING UNITS

Order 70 under Supplementary Order 94 is redesignated Revised Order 70 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

(a) *What this order does.* This order establishes maximum prices for the sale and delivery by any reseller of electric generating plants ranging in ratings up to and including 125 KVA, complete with accessories and parts supplied by the manufacturer and consisting of an internal combustion engine mounted on a common base and connected to an electric generator, which have been or may be purchased from the Reconstruction Finance Corporation or any other United States Government agency.

(b) *Maximum prices.* The maximum prices for sales and deliveries by all resellers of the electric generating units hereinbefore described, in the condition specified, to any class of purchaser shall be:

Price for the unit new or used and in as good as new condition, or used but reconditioned and guaranteed, 85% of the acquisition cost to the Government.

Price for the unit in any other condition than above specified, 55% of the acquisition cost to the Government.

These prices are f. o. b. point of shipment.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective immediately.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16357; Filed, Aug. 31, 1945; 10:44 a. m.]

[FPR 1, Order 2 to Supp. 9]

DRIED FRUITS, 1944 AND LATER CROPS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 9 (h) of Supplement 9 to Food Products Regulation No. 1; *It is ordered:*

(a) That sales and deliveries of the products covered by Supplement 9 to Food Products Regulation No. 1 of the 1945 crop may be made by processors to government procurement agencies, subject to an agreement between the buyer and seller in each case that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked as to each product referred to in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for it.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 4, 1945.

Issued this 31st day of August 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 27, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16303; Filed, Aug. 31, 1945; 10:32 a. m.]

[FPR 1, Order 1 to Supp. 10]

CERTAIN APPLE PRODUCTS (1944 AND LATER CROPS)

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 12 (g) of Supplement 10 to Food Products Regulation No. 1, *It is ordered:*

(a) That sales and deliveries of dried apples of the 1945 crop may be made by processors to government procurement agencies, subject to an agreement between the buyer and seller in each case that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for dried apples of the 1945 crop.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 4, 1945.

Issued this 31st day of August 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 27, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16304; Filed, Aug. 31, 1945; 10:32 a. m.]

[FPR 1, Order 1[1] to Supp. 12]

CERTAIN PACKED CITRUS PRODUCTS (1945 AND LATER PACKS)

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 4 (b) of Supplement 12 to Food Products Regulation No. 1, *It is ordered:*

(a) For grapefruit juice packed during the respective periods set forth in paragraph (b), below, processors shall reduce the gross maximum prices named in section 4 (a) for sales to government procurement agencies by the amounts set forth below respectively for each period of pack, state or area, and container size. The resulting figures shall be the processors' maximum prices for sales to government procurement agencies for grapefruit juice packed during the respective periods.

(b) Reduction per dozen containers:

State or area	Style of pack	Period of pack	Reduce gross maximum prices named in Sec. 4 (a) for sales to government procurement agencies per dozen containers by amounts set forth below:		
			No. 2 cans	No. 3 cyl.	No. 10 cans
Florida (for juice packed prior to 1/1/45).	All	Oct 1 to Nov. 4, 1944, inclusive	$0.395	$0.990	$2.100
		Nov. 5 to Nov. 11, 1944, inclusive	.245	.615	1.305
		Nov. 12 to Nov. 30, 1944, inclusive	.010	.030	.060
		December 1944	None	.005	.010
Florida (For juice packed on and after 1/1/45).	All	January 1, 1945, to Sep't. 30, 1945, inclusive	None	None	None
Texas	All	Oct. 1 to Nov. 4, 1944, inclusive	.315	.790	1.665
		Nov. 5 to Nov. 11, 1944, inclusive	.150	.375	.790
		Nov. 12 to Nov. 30, 1944, inclusive	.035	.090	.190
		December, 1944	.025	.060	.120
		January 1, 1945 to Sep't. 30, 1945, inclusive	None	None	None
California and Arizona	All	October 1, 1944 to Sep't. 30, 1945, inclusive	None	None	None

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 24, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16305; Filed, Aug. 31, 1945; 10:32 a. m.]

[1] 10 F.R. 7800, 8291.

[RMPR 136, Rev. Order 264]

R. G. WRIGHT CO., INC.

DETERMINATION OF MAXIMUM PRICES

Revised Order No. 264 under Revised Maximum Price Regulation 136; machines, parts and industrial equipment; R. G. Wright Company, Inc., Docket No. 6083-136.21-376, Docket No. 3136-460.

For the reasons set forth in an opinion issued simultaneous herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

Order No. 264 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 264 under Re-

vised Maximum Price Regulation 136 and revised and amended to read as follows:

(a) The maximum prices for sales of the dairy equipment listed below by the R. G. Wright Company, Inc., Buffalo, New York, shall be determined as follows:

(1) The manufacturer shall determine the maximum price for all sales, except those made to users, by multiplying the net price he had in effect to a purchaser of the same class on October 1, 1941, by the applicable percentage set forth below:

Item:	Percentage
Coolers	108
Pasteurizers	121.8
Weigh cans	131
Wash sinks	128
Rotary can washers	125
Straightaway can washers	130.9
Bottle washers	130.9
Stainless steel pumps	109.3

(2) The manufacturer shall determine the maximum price for sales to users by adding to the net price he had in effect to users on October 1, 1941, the amount by which this order permits him to increase his October 1, 1941, net price to that class of resellers which received the longest discount on October 1, 1941.

(b) Resellers of dairy equipment manufactured by the R. G. Wright Company, Inc., shall determine their maximum prices for the dairy equipment, listed in (a), as follows:

The reseller shall add to his net price in effect to a purchaser of the same class on October 1, 1941, the same dollar amount by which the reseller's costs have been increased due to the adjustment granted the R. G. Wright Company, Inc., by this order.

(c) The R. G. Wright Company, Inc., shall notify those customers who buy dairy equipment for resale of the amount by which this order permits resellers to increase their maximum net selling prices.

(d) R. G. Wright Company, Inc., shall file no later than December 1, 1945, with the Machinery Branch, Office of Price Administration, Washington, D. C., the following:

(1) A profit and loss statement covering the 1945 fiscal year ending September 30, 1945, segregating sales and costs of dairy equipment, war work, and the retail division.

(2) Sales and costs covering the 1945 fiscal year for the following items of dairy equipment: pasteurizers, stainless steel pumps, bottle washers and straightaway can washers.

(3) The dollar amount by which sales would have been increased, if all sales made during the fiscal year had been at the maximum prices permitted by this order:

(i) Sales of all items of dairy equipment by the above company.

(ii) Sales of pasteurizers, stainless steel pumps, bottle washers and straightaway can washers.

(e) All requests not granted herein are denied.

This revised order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16320; Filed, Aug. 31, 1945; 10:44 a. m.]

[RMPR 300, Order 15]

M. C. ROSENBLATT

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 8 of Revised Maximum Price Regulation 300 and section 6.4 of the Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales of neoprene ear protectors known as "Silents" that are manufactured by M. C. Rosenblatt, 91 Central Park West, New York, N. Y.

(b) *Maximum prices.* The maximum prices for sales of the commodity described in paragraph (a) of this order shall be:

	Per pair
To wholesalers and retailers	$0.50
Terms: 2% 10 days, net 30 days.	
At retail	1.00

(c) *Notification of maximum prices.* With or prior to the first delivery of the commodity described in paragraph (a) to any reseller, the seller shall give such reseller a written notice of the maximum retail price applicable thereto as established by paragraph (b) of this order. If such reseller is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales as established by paragraph (b) of this order and a statement that such wholesaler is required by this order to notify any retailer to whom he sells of the maximum retail price as established by paragraph (b) of this order.

(d) *Recomputation of maximum prices.* Between ninety and one-hundred five days after the effective date of this order the manufacturer shall recompute his costs for the commodity described in paragraph (a) of this order and submit a detailed statement to the Office of Price Administration of the actual unit cost for the production and distribution of the commodity based upon actual experience incurred during this period of time.

(e) All provisions of Revised Maximum Price Regulation 300 not inconsistent with this order shall apply to the manufacturer's sales of the commodities priced by this order. All provisions of Revised Maximum Price Regulation 301 that are applicable to a commodity priced under that regulation and that are not inconsistent with this order shall apply to sales by wholesalers and retailers of the commodity priced by this order.

(f) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16347; Filed, Aug. 31, 1945; 10:40 a. m.]

[MPR 389, Order 19]

LACLEDE PACKING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 19 under section 2 (a) (6) of Maximum Price Regulation No. 389; establishing maximum prices for sales of Blood Pudding, and Tongue Salad Loaf by Laclede Packing Company and all wholesalers, peddler-truck-sellers and intermediate distributors.

On May 7, 1945, Laclede Packing Company, Prairie & Aldine Aves., St. Louis, Missouri, filed an application for the establishment of maximum prices on sales of the sausage products known as Blood Pudding, and Tongue Salad Loaf and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-389-2(a)-28.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage products known as Blood Pudding, and Tongue Salad Loaf and made by Laclede Packing Company, Prairie & Aldines Aves., St. Louis, Missouri, in accordance with the individual formulae submitted to the Office of Price Administration with the application for this order, shall be determined by the seller as follows:

(1) The base price for each product listed is established at the following amounts per hundredweight:

Blood pudding	$14.50
Tongue salad loaf	23.25

(2) To the base price for blood pudding should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for sausage other than kosher sausage, all beef sausage and sausage containing meat and meat by-products from swine only; and to the base price for Tongue Salad Loaf should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for sausage containing meat and meat by-products from swine only. In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (c) of Maximum

Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Blood Pudding or Tongue Salad Loaf to a wholesaler, peddler truck seller, or intermediate distributor Laclede Packing Company shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for (insert name of product) have been established by the Office of Price Administration at the base price of $_____ per hundredweight, to which may be added the zone differentials provided in Section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Blood Pudding or Tongue Salad Loaf to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for (insert name of product) have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

This Order No. 19 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F.R. 8419)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16349; Filed, Aug. 31, 1945; 10:42 a. m.]

[MPR 389, Order 20]

GENERAL MEAT CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 20 under section 2 (a) (6) of Maximum Price Regulation No. 389; establishing maximum prices for sales of spiced cooked chopped beef by General Meat Company and all wholesalers, peddler-truck-sellers and intermediate distributors.

On May 22, 1945, General Meat Company, 2900 North Broadway, St. Louis, Missouri, filed an application for the establishment of maximum prices on sales of the sausage product known as Spiced Cooked Chopped Beef and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-389-2(a)-30.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of sections 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as Spiced Cooked Chopped Beef and made by General Meat Company, 2900 North Broadway, St. Louis, Missouri, in accordance with the individual formula submitted to the Office of Price Administration with the application for this order, shall be determined by the seller as follows:

(1) The base price for this product is established at $26.00 per cwt.

NOTE: If sold not boxed 50 cents per cwt. must be deducted from the above price.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for all beef sausage. In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Spiced Cooked Chopped Beef to a wholesaler, peddler truck seller, or intermediate distributor General Meat Company shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Spiced Cooked Chopped Beef have been established by the Office of Price Administration at the base price of $26.00 per hundredweight, to which may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Spiced Cooked Chopped Beef to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Spiced Cooked Chopped Beef have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

This Order No. 20 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F.R. 8419.)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16350; Filed, Aug. 31, 1945; 10:42 a. m.]

[MPR 389, Order 21]

CUDAHY BROS. CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 21 under section 2 (a) (6) of Maximum Price Regulation No. 389; establishing maximum prices for sales of Sulze by Cudahy Brothers Co., and all wholesalers, peddler-truck-sellers and intermediate distributors.

On February 10, 1945, Cudahy Brothers Co., Cudahy, Wisconsin, filed an application for the establishment of maximum prices on sales of the sausage product known as Sulze and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-389-2(a)-27.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as Sulze and made by Cudahy Brothers Co., Cudahy, Wisconsin, in accordance with the individual formula submitted to the Office of Price Administration with the application for this order, shall be determined by the seller as follows:

(1) The base price for this product is established at $15.50 per hundredweight.

NOTE: If sold not boxed 50 cents per cwt. must be deducted from the above price.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for sausage other than "Kosher Sausage", "All Beef Sausage" and "Sausage containing meat and meat by-products from swine only." In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Sulze to a wholesaler, peddler truck seller, or intermediate distributor Cudahy Brothers Co., shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Sulze have been established by the Office of Price Administration at the base price of $15.50 per hundredweight, to which may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Sulze to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Sulza have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

This Order No. 21 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F.R. 8419)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16351; Filed, Aug. 31, 1945; 10:43 a. m.]

[MPR 389, Order 23]

SMITH, RICHARDSON, CONROY, INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 23 under section 2 (a) (6) of Maximum Price Regulation No. 389. Establishing maximum prices for sales of Royalton Roast Beef Loaf by Smith, Richardson and Conroy, Inc., and all wholesalers, peddler-truck-sellers and intermediate distributors.

On March 5, 1945, Smith, Richardson and Conroy, Inc., West Palm Beach, Florida, filed a revised application for the establishment of maximum prices on sales of the sausage product known as Royalton Roast Beef Loaf and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-389-2(a)-23.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as Royalton Roast Beef Loaf and made by Smith, Richardson and Conroy, Inc., West Palm Beach, Florida, in accordance with the individual formula submitted to the Office of Price Administration with the application of this order, shall be determined by the seller as follows:

(1) The base price for this product is established at $22.50 per cwt.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for "All beef sausage". In determining the proper zone differential to be added, the zone description provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Royalton Roast Beef Loaf to a wholesaler, peddler truck seller, or intermediate distributor Smith, Richardson and Conroy, Inc., shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Royalton Roast Beef Loaf have been established by the Office of Price Administration at the base price of $22.50 per hundredweight, to which may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Royalton Roast Beef Loaf to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Royalton Roast Beef Loaf have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

This Order No. 23 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F.R. 8419)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16353; Filed, Aug. 31, 1945; 10:43 a. m.]

[MPR 389, Order 24]

ROSE CITY PACKING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 24 under section 2 (a) (6) of Maximum Price Regulation No. 389. Establishing maximum prices for sales of Beef Bar B. Q. Loaf, by Rose City Packing Company and all wholesalers, peddler-truck-sellers and intermediate distributors.

On February 26, 1945, Rose City Packing Company, 404 E. Oakwood, Tyler, Texas, filed an application for the establishment of maximum prices on sales of the sausage product known as Beef Bar B. Q. Loaf, and made in accordance with the individual secret formula submitted by the applicant. That application was assigned Docket No. 6036.3-389-2(a)-22.

Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion, and under the authority vested in tthe Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage product known as Beef Bar B. Q. Loaf, and made by Rose City Packing Company, 404 E. Oakwood, Tyler, Texas, in accordance with the individual formula submitted to the Office of Price Administration with the application for this Order, shall be determined by the seller as follows:

(1) The base price for this product is established at $24.25 per hundredweight.

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389 for "all beef sausage". In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the "Permitted additions to base prices" provided in section 12 (e) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of Beef Bar B. Q. Loaf to a wholesaler, peddler truck seller, or intermediate distributor Rose City Packing Company shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Beef Bar B. Q. Loaf have been established by the Office of Price Administration at the base price of $24.25 per hundredweight, to which may be added the zone differentials provided in section 12 (b) of MPR 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler truck seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of Beef Bar B. Q. Loaf to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for Beef Bar B. Q. Loaf have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraph (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

This Order No. 24 shall become effective September 1, 1945.

NOTE: This action has the prior written approval of the Secretary of Agriculture. (10 F. R. 8419)

Issued this 31st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16354; Filed, Aug. 31, 1945; 10:44 a. m.]

Regional and District Office Orders.

[Region IV Order G-1 Under Rev. Supp. Service Reg. 43 to RMPR 165, Amdt. 1]

VEGETABLES IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1499.676 (b) (1) of Revised Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165, Order No. G-1 under said Revised Supplementary Service Regulation No. 43, issued by this office on April 4, 1945, is hereby amended in the following respects:

1. In paragraph (b) (1) (i) (*a*), "100 pound sack" in the column headed "Container" and opposite the word "Potatoes", is amended to read "50 pound sack".

2. In paragraph (b) (1) (ii) (*a*), "100 pound sack" in the column headed "Container" and opposite the word "Potatoes", is amended to read "50 pound sack".

3. Paragraph (b) (3) (ii) (*c*) is amended by substituting the word "cent" for the word "cost" as it appears in the last sentence thereof.

4. The heading of paragraph (b) (4) is amended to read as follows: "*Packers who entered business after March, 1942 and before September 1, 1944.*"

5. Paragraph (b) (5) (i) is amended by substituting the word "desires" for the word "desired" as it appears therein.

Effective date. This amendment shall become effective as of September 1, 1944.

Issued: July 17, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-16284; Filed, Aug. 30, 1945; 4:33 p. m.]

[Region IV Order G-2 Under Rev. Supp. Service Reg. 43 to RMPR 165]

AGRICULTURAL PRODUCTS IN ACCOMAC AND NORTHAMPTON COUNTIES, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1499.676 (b) (1) of Revised Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165; *It is hereby ordered:*

(a) The maximum prices established by Revised Maximum Price Regulation No. 165—Services, are hereby modified as hereinafter provided.

(b) On and after the effective date of this order:

(1) *Regular sales.* No person covered by this order may sell, or offer to sell, commission selling services on regular sales at prices in excess of the higher of the following:

(i) Five percent of the net realization obtained by the grower of any of the agricultural products enumerated in paragraph (b) (1) (ii) hereinafter.

(ii) *Maximum flat prices.*

	Cents
Irish potatoes, 100 lb. bag	12
Irish potatoes, 50 lb. bag	6
Irish potatoes, barrel	20
Irish potatoes, bushel	8½
Sweet potatoes, bushel	8½
Sweet potatoes, barrel	20
Onions, 50 lb. bag	8
Cabbage, Bruce box	6
Beans, bushel	7½

(2) *Auction sales.* No person covered by this order may sell, or offer to sell, commission selling services on auction sales of the named commodities at prices in excess of the following:

	Charges to the buyer	Charges to the grower based on net realization obtained for grower from buyer
	Cents	
Snap beans, bushel	5	3%.
Lima beans, bushel	5	3%.
Strawberries, 24 - qt. crate.	10	3% or 12¢ whichever is higher.

(3) *Packing services.* No person covered by this order may sell, or offer to sell, the services named in this subparagraph at prices in excess of the following:

(i) Irish potatoes, grading and packing, 18¢ per cwt., 29¢ per barrel, or 11¢ per bushel.

(ii) Sweet potatoes, grading, washing, waxing, and packing, 12¢ per bushel.

(iii) Onions, grading and packing, 10¢ per 50 lbs.

(c) *Less than maximum prices.* Less than maximum prices may be charged or offered.

(d) *Geographical applicability.* This order is applicable to all sellers of the services named herein whose places of business are located within either or both of the Counties of Accomac and Northampton, in the State of Virginia.

(e) *Relation to Revised Maximum Price Regulation No. 165.* Except as otherwise provided herein all transactions subject to this order shall remain subject to all the provisions of Revised Maximum Price Regulation No. 165, together with all amendments, orders, and supplementary regulations which heretofore have been, or hereafter may be, issued.

(f) This order may be revoked, amended, or corrected at any time.

(g) This order shall become effective as of June 20, 1945.

Issued July 9, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-16285; Filed, Aug. 30, 1945; 4:34 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO. ET AL

NOTICE OF FILING AND ORDER RECONVENING HEARING—FIRST AMENDMENT TO AMENDED APPLICATION NO. 21

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of August, A. D. 1945.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, File No. 59-17; The United Light and Power Company and its subsidiary companies, respondents, File No. 59-11; The United Light and Power Company, applicant, File No. 54-25.

The Commission having previously, by order dated August 5, 1941, under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ordered, among other things, that The United Light and Railways Company ("Railways"), a registered holding company, shall eliminate from its holding company system all its interests (whether direct or indirect) in the subsidiaries, and in the properties and assets owned by or operated by the subsidiaries, of American Light & Traction Company ("American Light"), also a registered holding company and a subsidiary of Railways, and that American Light shall, among other things, dispose of its interest in The Detroit Edison Company ("Detroit Edison");

Railways and American Light having heretofore filed applications and declarations designated as "Application No. 21" and "Amended Application No. 21" pursuant to sections 11 (b) (1), 11 (b) (2) and 11 (e) of the Act with respect to the payment to the preferred stockholders of American Light of cash in an amount equal to the par value of $25 per share as the first step in a plan to effectuate the liquidation and dissolution of American Light;

The Commission having in its memorandum opinion issued on June 2, 1945, concluded that the most appropriate plan for accomplishing compliance with the Commission's order of August 5, 1941 would require, among other things, discharge of the claims of American Light's outstanding preferred stock out of presently available resources, including the proceeds from the sale of all or a part of the Detroit Edison stock, by the immediate payment of an amount of cash equivalent to the par or liquidating value of such stock, with an appropriate deposit of cash in escrow for the payment of the balance, if any, of the amount which may be determined to be payable to preferred stockholders; sold or other divestment by American Light of the balance of the Detroit Edison stock immediately; pro rata distribution to common stockholders of American Light of all of its portfolio securities, except insofar as minor subsidiaries might be sold or appropriately combined with utility subsidiaries; and immediate disposition by Railways of its proportionate interest in the securities of the subsidiaries of American Light, attended by the application of such securities or the proceeds from the sale thereof to reduce senior securities of the companies in the Railways system;

Notice is hereby given that Railways and American Light have filed an amended plan for the liquidation and dissolution of American Light, entitled "First Amendment to Amended Application No. 21," which is stated to conform to the Commission's Memorandum Opinion of June 2, 1945.

All interested persons are referred to said document which is on file at the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

1. As soon as practicable after the effective date of the plan, American Light shall deposit, in trust with a bank or trust company to be selected by it, cash in an amount equal to the par value ($25 per share) of American Light's then outstanding preferred stock, plus an amount equal to the dividends unpaid and accrued thereon on the 30th day following the date of such deposit.[1] At any time after said deposit the holders of American Light's preferred stock[2] shall be entitled to receive out of the funds so deposited the par value of their stock plus the dividends which will be unpaid and accrued on the 30th day following the date of the cash deposit by American Light, upon surrender of their certificates representing the preferred stock, properly endorsed, at the office of the bank or trust company selected as the depositary under the plan.

The plan provides that dividends on American Light's preferred stock shall cease to accrue on the 30th day following the date of deposit of cash with the depositary.

2. In the event the Commission shall approve the proposed payment to preferred stockholders of $25 per share plus unpaid and accrued dividends as fair and equitable, then in the event an appeal is taken to review the Commission's order approving the plan or to review the order of the court enforcing and carrying out the provisions of the plan, American Light shall deposit cash in escrow with the depositary in such amount as shall be determined by the Commission or a court of competent jurisdiction to be sufficient to protect the interests of all preferred stockholders of American Light pending the outcome of such litigation. In case cash is deposited in escrow as aforesaid, the depositary shall mail or deliver nontransferable receipts to preferred stockholders of American Light theretofore or thereafter surrendering their preferred stock for payment as described hereinabove, which receipts shall specify the number of shares of preferred stock surrendered and shall evidence their right to receive such amounts, if any, in addition to the par value of their shares as may be judicially determined to be payable to them.

3. American Light shall sell for cash such number of shares of common stock of Detroit Edison as shall be necessary to enable American Light to pay its debts, liabilities and expenses and to make the payment to preferred stockholders and the deposit of cash in escrow referred to hereinabove, (American Light states that each such sale of Detroit Edison common stock shall be subject to the approval of the Commission. The plan does not specify the details concerning the sale of such stock.) If it becomes necessary or advisable, American Light may request the Commission's approval of the temporary borrowing of funds to make the deposit of cash required by the plan; any funds so borrowed shall be repaid promptly upon the sale of Detroit Edison common stock.

4. All assets remaining after providing for the payment of all debts, liabilities and expenses and the deposit referred to hereinabove shall be distributed pro rata to the common stockholders of American Light. Such assets to be distributed will include the shares of common stock of Detroit Edison which are not required to be sold to carry out the plan and all shares of common stock of American Light's subsidiaries, Michigan Consolidated Gas Company, Milwaukee Gas Light Company and Madison Gas and Electric Company.

5. Upon receipt of shares of common stock of Detroit Edison and of American Light's other subsidiaries, Railways shall immediately dispose of the securities so received and shall apply such securities or the proceeds from the sale thereof to reduce senior securities of the companies in its system. (The sale of such securities and the application of the proceeds therefrom are the subject matter of Application No. 25, filed with the Commission in these proceedings, with respect to which hearings will be scheduled in due course.)

6. The holders of American Light's outstanding warrants who are now entitled upon surrender thereof to receive full shares of common stock of American Light shall upon surrender of their warrants be entitled to the same rights under the plan as common stockholders of American Light to the extent the warrants surrendered by them entitle them to receive full shares of common stock of American Light.

7. After the Commission has entered an order approving the plan the board of directors of American Light may in its discretion call a special meeting of stockholders to consider and act upon the question whether American Light shall

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[1] American Light's Certificate of Incorporation provides, in part, that the preferred stockholders of American Light are entitled "in the event of any liquidation or dissolution or winding up, whether voluntary or involuntary," to be paid the par amount of their shares ($25) and the dividends accrued thereon before any amount shall be paid to the common stockholders.

[2] As of December 31, 1944, American Light had outstanding 536,324 shares of preferred stock of which 333,796 shares were held by the public and 202,528 shares were held by American Light's parent, Railways. As of the same date American Light had outstanding 2,768,050 shares of common stock of which 1,254,606 shares were held by the public and 1,513,444 were held by Railways.

be liquidated and dissolved in accordance with the plan. If at such meeting two-thirds in interest of all the stockholders of American Light, without regard to class, shall vote in favor of liquidation and dissolution and shall consent thereto in writing, the plan shall become effective and the date upon which such vote and consent is obtained shall become the effective date of the plan. Notwithstanding the fact that the plan may become or may have become effective in the manner provided hereinabove, the plan states that American Light reserves the right at any time to request the Commission, pursuant to section 11 (e) of the act, to apply to a federal court to enforce and carry out the terms and provisions of the plan.

In the event the plan shall not have become effective in the manner provided hereinabove, American Light may at any time request the Commission, pursuant to section 11 (e) of the act, to apply to a federal court to enforce and carry out the terms and provisions of the plan; and if the court shall approve the plan and shall enter a decree of enforcement, the day upon which such decree is entered shall be the effective date of the plan, unless extended by a court of competent jurisdiction.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the aforesaid plan and that said plan should not be approved except pursuant to further order of the Commission:

It is ordered, That a hearing on the plan as described in said First Amendment to Amended Application No. 21, under the applicable provisions of said Act and Rules of the Commission thereunder, be held on September 25, 1945, at 10:30 a. m., e. w. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by its rules of practice, Rule XVII, on or before September 24, 1945.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the proceedings particular attention will be directed at the hearing to the following matters and questions:

1. Whether the plan, as submitted or as hereafter modified, is fair and equitable to the persons affected thereby and particularly whether the proposed payment of $25 per share, plus unpaid and accrued dividends, to preferred stockholders of American Light is fair and equitable and what amount, if any, should be deposited in escrow to protect the interests of preferred stockholders of American Light.

2. Whether the plan, as submitted or as hereafter modified, is a reasonable and appropriate means for effecting compliance with the Commission's order of August 5, 1941 and is necessary to effectuate the provisions of section 11 (b).

3. Whether the proposed transactions comply with all the requirements of the applicable provisions of the act and the rules promulgated thereunder, and whether any terms and conditions with respect to the transactions should be prescribed in the public interest or for the protection of investors or consumers.

4. Whether the fees and expenses to be paid in connection with the consummation of the proposed plan and all transactions incidental thereto are for necessary services and are reasonable in amount.

5. Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of any request therefor on the part of Railways or American Light to apply to a court for the enforcement of such plan pursuant to section 11 (d).

6. Whether, in the event that the Commission shall not approve such plan as filed or as modified, a plan proposed by the Commission or by any person having a bona fide interest in the reorganization should be approved by the Commission for purposes of section 11 (d) and, if proposed by the Commission, what the terms and provisions of such plan should be.

7. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and Rules promulgated thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given to Railways and American Light and to all other persons; said notice to be given to Railways and American Light and to all persons having appeared of record in the proceedings with respect to Application No. 21 and Amended Application No. 21 by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER.

It is further ordered, That Railways and American Light shall give additional notice of said hearing to the stockholders of American Light by mailing a copy of this notice and order to each record holder of American Light's preferred and common stock at their respective addresses as of a date not earlier than August 1, 1945, said mailing to be made not less than twenty days prior to the date of said hearing. Any interested security holder may obtain a copy of the plan and the accompanying exhibits from the Secretary of American Light & Traction Company, 105 West Adams Street, Chicago 3, Illinois.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-16371; Filed, Aug. 31, 1945; 11:20 a. m.]

[File No. 70-1116]

PENN FUEL GAS, INC. AND JOHN H. WARE, 3D

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, A. D., 1945.

Notice is hereby given that Penn Fuel Gas, Inc. ("Penn") and John H. Ware, 3d ("Ware"), of Oxford, Pennsylvania, have filed joint applications-declarations with this Commission pursuant to the Public Utility Holding Company Act of 1935. Penn is a Pennsylvania corporation, all of whose capital stock is owned by Ware. Ware also owns the entire capital stocks of Pottsville Gas & Heating Company ("Pottsville"), Bangor Gas Company ("Bangor"), and Citizens Gas Company ("Citizens"), gas utility companies organized and operating in Pennsylvania, as well as voting control of four other public utility companies.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Penn proposes to acquire from Ware for $573,000 in cash all the outstanding securities of Pottsville, Bangor and Citizens, with the exception of $93,000 principal amount of first mortgage bonds of Citizens not owned by Ware. The securities so to be acquired by Penn are the following:

Bangor Gas Co.:
$100,000 principal amount of 5½% First Mortgage Bonds, due July 1, 1941;
800 shares Common Stock ($50 par value);
Citizens Gas Co.:
12,700 shares Common Stock (no par value);
Pottsville Gas & Heating Co.:
$217,000 4½% Notes due on or before September 1, 1945; 1,000 shares Common Stock ($50 par value).

In connection with the acquisition by Penn of the aforesaid securities to Pottsville, Bangor and Citizens, Penn proposes to issue and sell the following securities:

(1) $420,000 principal amount of 4% Collateral Trust Bonds, Series "A", due June 1, 1970, at 100, to Massachusetts Mutual Life Insurance Company ("Massachusetts"). Said bonds are to be secured by the pledge with Fidelity-Philadelphia Trust Company of Philadelphia, Pennsylvania ("Fidelity"), as trustee under a trust indenture, of all the securities

of Bangor, Citizens and Pottsville to be outstanding and owned by Penn.

(2) A $90,000 5% Note to Fidelity at 100 to be retired in the amount of $22,500 annually by quarterly payments of $5,625 each. It is proposed that Ware will guarantee the payment of principal and interest of said note and that until said note has been retired, Penn will incur no further indebtedness without the consent of Fidelity and will not pay any dividends on its capital stock.

(3) On or before Penn's settlement with Massachusetts, which will take place contemporaneously with the sale by Ware to Penn of the aforesaid securities of Bangor, Citizens and Pottsville presently owned by Ware, Penn will sell and Ware will acquire, for cash, all of Penn's capital stock consisting of 13,500 shares at their par value of $10 per share, or $135,000.

Subsequent to their acquisition by Penn, Bangor, Citizens and Pottsville contemplate the following transactions:

(1) Bangor will refund its outstanding 5½% bonds ($100,000 principal amount) by the issuance and sale at 100 to Penn of a like amount of 4½% First Mortgage Bonds, due June 1, 1970.

(2) Citizens will call its 4% First Mortgage Bonds, due 1962, outstanding in the principal amount of $93,000, at 104½ and issue and sell at 100 to Penn $100,000 principal amount of 4% First Mortgage Bonds, due June 1, 1970. Citizens also proposes to reclassify its presently outstanding shares of capital stock of no par value, with a stated value of $10 per share, into a like amount of shares of capital stock of $10 par value per share.

(3) Pottsville will refund its presently outstanding 4½% Notes, due September 1, 1945 ($217,000 principal amount) by the issuance and sale at 100 to Penn of a like amount of 4½% First Mortgage Bonds, due June 1, 1970.

It is further proposed that with the consummation of the transactions described above, Penn will file with this Commission an exemption application pursuant to section 3 (a) (1) of the act and Rule U-2 promulgated thereunder.

The filing has designated sections 9 (a) (2) and 10 of the act and Rule U-23 as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on September 10, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Secretary of the Commission on or before September 7, 1945 his application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That notice of said hearing is hereby given to Penn, Ware, the Pennsylvania Public Utility Commission and all interested persons, said notice to be given to Penn, Ware and the Pennsylvania Public Utility Commission by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed acquisition by Penn of the securities of Bangor, Citizens and Pottsville, and the proposed acquisition by Ware of the securities of Penn, will serve the public interest by tending towards the economical and efficient development of an integrated public utility system and whether said proposed acquisition will be detrimental to the carrying out of section 11, or will unduly complicate the capital structure of the Penn holding company system;

2. Whether the proposed acquisition by Penn of the securities of Bangor, Citizens and Pottsville, and the proposed acquisition by Ware of the securities of Penn, will tend towards interlocking relations or the concentration of control of public utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers;

3. Whether the considerations, including fees, commissions or other remunerations to be paid in connection with the proposed acquisition by Penn of the securities of Bangor, Citizens and Pottsville, and the proposed acquisition by Ware of the securities of Penn, are reasonable or bear a fair relation to the sums invested in or the earning capacity of the utility assets to be acquired or the utility assets underlying the securities to be acquired;

4. Whether the proposed acquisition by Penn of the securities of Bangor, Citizens and Pottsville will unduly complicate the capital structure of the holding company system of Penn or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding company system;

5. Whether the accounting entries to be made in connection with the proposed transactions are proper;

6. Generally, whether the proposed transactions comply with all the applicable provisions and requirements of the Act and Rules and Regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of any provisions of the Act or rules, regulations or orders thereunder to impose terms and conditions in connection with any of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-16372; Filed, Aug. 31, 1945; 11:20 a. m.]

WAR PRODUCTION BOARD.

[C-258, Revocation]

LENUS ALM

CONSENT ORDER

Pursuant to an agreement between Lenus Alm, the Regional Compliance Manager and the Regional Attorney, *Consent Order No. C-258* was issued January 26, 1945, in consequence of a violation of Conservation Order L-41.

The parties to the agreement having now agreed that such order should be revoked, it is hereby ordered that: *Consent Order No. C-258* be revoked.

Issued this 29th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16232; Filed, Aug. 29, 1945; 4:41 p. m.]

[C-359, Revocation]

CHURCH SHOE REPAIR SHOP

CONSENT ORDER

Pursuant to an agreement between J. F. Church, the Regional Compliance Manager and the Regional Attorney, *Consent Order No. C-359* was issued June 7, 1945, in consequence of a violation of Conservation Order L-41.

The parties to the agreement having now agreed that such order should be revoked, it is hereby ordered that: *Consent Order No. C-359* be revoked.

Issued this 29th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16233; Filed, Aug. 29, 1945; 4:41 p. m.]